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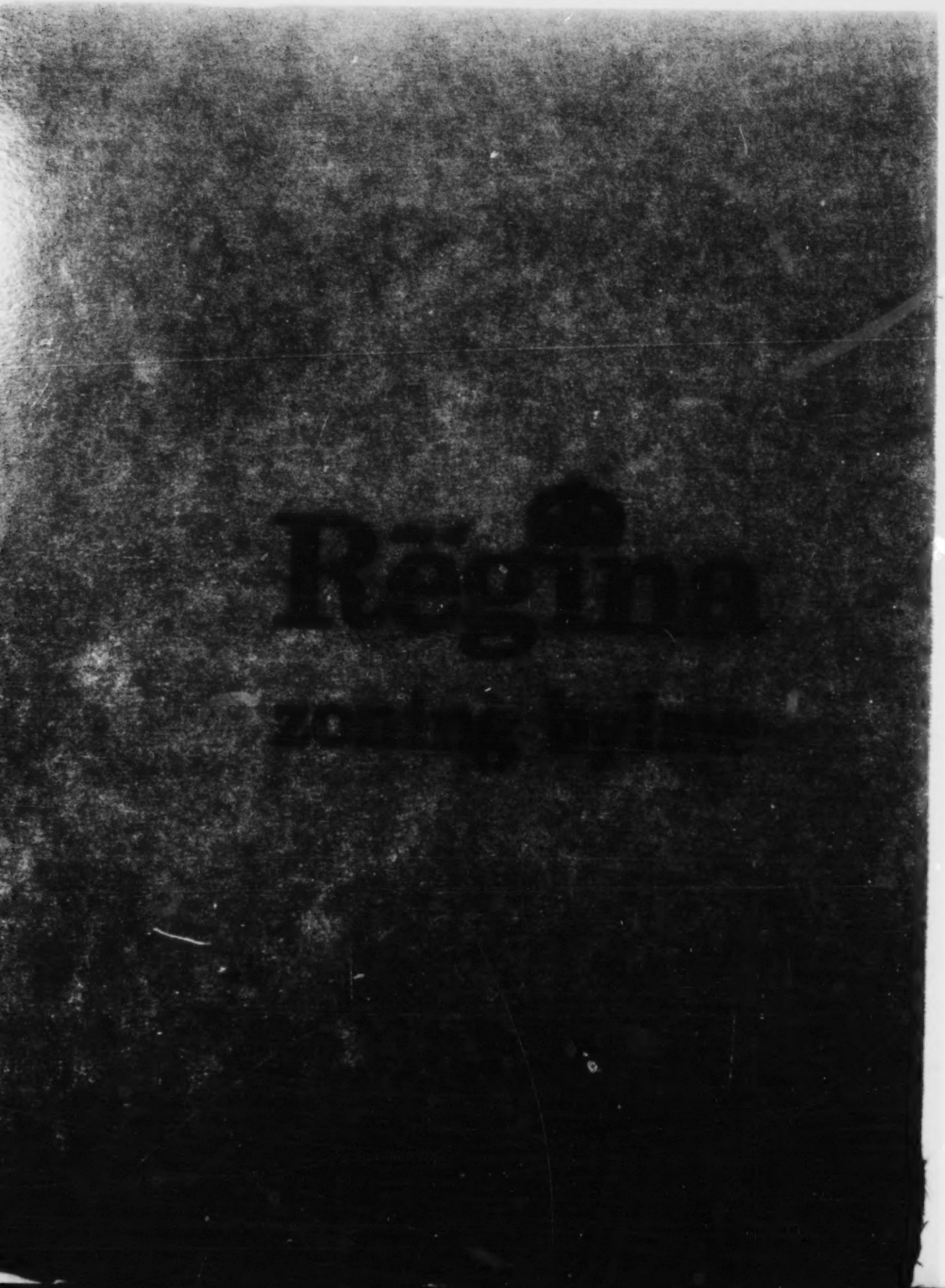

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SECTION 1

USING AND INTERPRETING THE ZONING BYLAW

1.1 PURPOSE OF ZONING BYLAW

The purpose of this Zoning Bylaw is to control the use of land to provide for the amenity, health, safety and general welfare of the inhabitants of the City of Regina. The Zoning Bylaw approaches this task by the application of land use classifications called "zones" where similar and compatible uses are grouped together.

1.2 COMPLIANCE WITH ZONING BYLAW

No person shall use land, undertake any development, construct, reconstruct, or use any building or structure except in conformity with the regulations controlling the use in this Bylaw and the Planning and Development Act, 1983.

1.3 ESTABLISHMENT OF ZONES

The following zones are hereby established for application in the City of Regina:

Residential

R1 - Residential Detached
R1A - Residential Older Neighbourhood Detached
R2 - Residential Semi-Detached
R3 - Residential Older Neighbourhood
R4 - Residential Older Neighbourhood
R4A - Residential Infill Housing
R6 - Residential Multiple Housing
R7 - Residential Mobile Home
R8 - Residential Compact Housing
RM - Residential Mixed Use
CARC - College Avenue Residential/Commercial
TAR - Transitional Area Residential

Commercial

CR - Commercial/Residential Interface
D - Downtown
DSC - Designed Shopping Centre
HC - Highway Commercial
HS - Highway Service
ICC - Inner City Commercial
LC1 - Local Commercial
LC2 - Local Commercial
LC3 - Local Commercial Shopping Street
MAC1 - Major Arterial Commercial
MAC2 - Major Arterial Commercial
MS - Mainstreet
NC - Neighbourhood Convenience
TAS - Transitional Area Service

Industrial

IA - Light Industrial
IA1 - Light Industrial
IB - Medium Industrial
IB1 - Medium Industrial
IC - Heavy Industrial
IC1 - Heavy Industrial
IP - Prestige Industrial Service
IT - Tuxedo Park
WH - Dewdney Avenue Warehouse
IIT - Innismore Industrial Transitional

Regulatory

H - Height
F - Floor Area Ratio
P - Person Per Hectare

Special

AIR - Airport
AR - Airport Restricted
C - Contract Zone
DC - Direct Control District
FP - Flood Plain
(H) - Holding Zone
I - Institutional
PS - Public Service
PUD - Planned Unit Development
RR - Railway
UH - Urban Holding
WC - Wascana Centre

1.4 FORMAT OF ZONING BYLAW

The basic land use regulations and restrictions are included in the Residential, Commercial, Industrial and Special Use Zones. Other relevant regulations are contained in sections of this Bylaw concerning General and Special Use Regulations, Exceptions, Regulatory Zones, Sign Regulations or in the Zoning Maps. These zones contain the following information:

1. General Purpose of Zones

   All Use Zones contain a "General Purpose of Zone" which shall provide the basis for the establishment of the uses and regulations of the zone.

2. Permitted Uses and Discretionary Uses

   Each Use Zone contains permitted uses and discretionary uses. Permitted uses and discretionary uses shall be as specified in Section 3, Definitions of this Bylaw.

3. Regulations

General Regulations for each zone are contained in the zone or in Sections 4, 5, 6 and 8 and the Tables.

1.5 ZONING MAPS

The Zoning Maps are included in Section 14 of this Bylaw. The City is divided into the zones set out in Section 1.3 as shown on the Zoning Maps or as stated herein.

1.6 DETERMINING ZONING BOUNDARIES

The following criteria shall apply when determining the location of zoning boundaries in the Zoning Maps:

1. A zone boundary shown approximately at a lot, street or lane is at the boundary of the lot, street or lane.

2. A zone boundary shown approximately in the centre line of a street or lane, is at the centre line of the street or lane.

3. A zone boundary shown within a lot, unless specifically noted, is fixed by the scale of the zoning map.

4. A zone boundary shown following approximately a shore line or the centre line of a creek, stream or channel follows the shore line or centre line and moves with any change in such shore line.

5. Where a zone boundary falls along a lot line the map shall indicate the lot numbers between which the boundary falls, but the map need not show the exact lot boundary.

1.7 USES SPECIFICALLY MENTIONED OR DEFINED

Except in Sections 9.18 and 9.19, a use listed in Appendix A, shall not be deemed to be included in any general use category nor within any generic term defined in Section 3, Definitions.

1.8 EXISTING DISCRETIONARY USES PERMITTED

Within any zone any existing use of land, a building or structure which is listed as a discretionary use within that zone shall not, as a result of the passage of this Bylaw be nonconforming, but shall be a permitted use at that location, but the use of the land shall not be changed except in conformity with this Bylaw.

1.9 NON-CONFORMING BUILDINGS AND USES

1. Any lawful use of an existing building or structure or of any building lawfully under construction at the date of approval of this Bylaw, although such use, building or structure does not conform to the regulations of this Bylaw, shall be carried on in accordance with the provisions of Sections 113 to 118, inclusive, of the The Planning and Development Act, 1983.

2. No existing use, building or structure shall be deemed to be nonconforming by reason only of the conversion of this Bylaw from the Imperial System of measurement to the Metric System of measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.

3. No lot, building or structure shall deemed to be non-conforming as a result of the construction or widening of a registered road or rail right-of-way.

1.10 SECTION 11.6 DESIGNATIONS

The designation 11.6 recognizes a special use approved under the provisions of Bylaw No. 6600 (Section 10.11) and carried forward in Bylaw No. 7878 for a Particular Use at a Particular Location. Uses listed in Section 11.6 of this Bylaw have been carried forward from the former Bylaw and shall not as a result of the passage of this Bylaw be non-conforming, but shall be a permitted use at their specific location as listed in this Bylaw, but the use shall not be changed except in accordance with this Bylaw.

1.11 INTERPRETATION

Buildings, structures, lands, uses and regulations may herein be referred to as R1, R1A, R2, R3, R4, R4A, R6, R7, R8, RM, CARC, TAR, AIR, AR, C, DC, FP, (H), I, PS, PUD, RR, UH, WC, CR, D, DSC, HC, HS, ICC, LC1, LC2, LC3, MAC1, MAC2, MS, NC, TAS, IA, IA1, IB, IB1, IC, IC1, IIT, IP, IT, WH, H, F, P buildings, structures, lands, uses and regulations respectively.

The expressions R1 Zone, R1A Zone, R2 Zone, R3 Zone, R4 Zone, R4A Zone, R6 Zone, R7 Zone, R8 Zone, R9 Zone, RM Zone, CARC Zone, TAR Zone, AIR Zone, AR Zone, C Zone, DC Zone, FP Zone, (H) Zone, I Zone, PS Zone, PUD Zone, RR Zone, UH Zone, WC Zone, CR Zone, D Zone, DSC Zone, HC Zone, HS Zone, ICC Zone, LC1 Zone, LC2 Zone, LC3 Zone, MAC1 Zone, MAC2 Zone, MS Zone, NC Zone, TAS Zone, IA Zone, IA1 Zone, IB Zone, IB1 Zone, IC Zone, IC1 Zone, IIT Zone, IP Zone, IT Zone, WH Zone, H Zone, F Zone, P Zone and as used herein, mean respectively a Zone designated by the symbols R1, R1A, R2, R3, R4, R4A, R6, R7, R8, R9, RM, CARC, TAR, AIR, AR, C, DC, FP, (H), I, PS, PUD, RR, UH, WC, CR, D, DSC, HC, HS, ICC, LC1, LC2, LC3, MAC1, MAC2, MS, NC, TAS, IA, IA1, IB, IB1, IC, IC1, IIT, IP, IT, WH, H, F, and P.

The buildings, structures, uses, regulations and zones may herein be called residential, commercial or industrial buildings, structures, uses, regulations and zones.

SECTION 2

ADMINISTRATION, ENFORCEMENT, PENALTIES

2.1 DEVELOPMENT OFFICER

The Development Officer, who shall be the Director of Urban Planning shall administer the Zoning Bylaw.

2.2 DEVELOPMENT PERMIT

1. Except where a particular development is specifically exempted by this bylaw, no development of a permitted use shall commence without a development permit first being obtained. Notwithstanding the above, an approved building permit for detached, semi-detached or duplex dwelling units shall also constitute a development permit. (Note: The term Development as used herein includes any material change in the use of land. See Section 3 for the definition of Development.)

2. No development of a discretionary use shall commence without a building permit where required and a development permit first being obtained.

2.3 DEVELOPMENT PERMIT APPLICATIONS

1. Applications for a development permit shall be made to the development officer.

2. Where an application is made for a development permit with respect to a discretionary use, the applicant shall undertake to pay the fees as specified in Section 2.5 of this Bylaw.

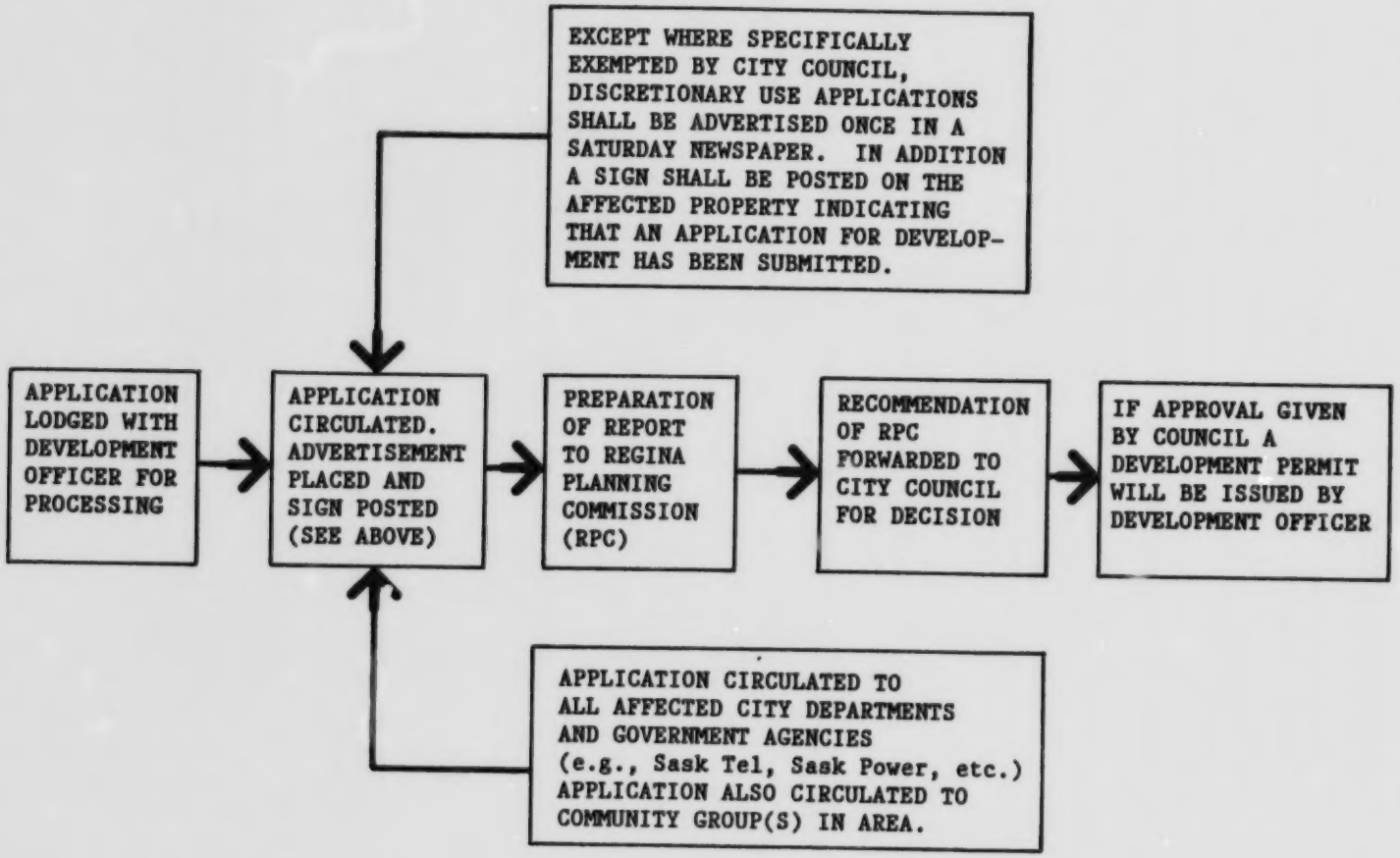
3. Where an application for a development permit is made for a permitted use, the Development Officer shall issue a development permit where the development is in conformity with this Bylaw and the Act.

4. Where an application for a development permit is made for a discretionary use the Development Officer, except as provided for in Section 5.2 D: Downtown Zone shall process the application under the discretionary use procedure as specified in Figure 1 of this Bylaw.

5. Upon approval of a discretionary use by Council, the Development Officer shall issue a development permit for the discretionary use at the location or locations and under the development standards specified by Council in its approval. These development standards shall be based on and consistent with Section 9.1 of this Bylaw.

FIGURE 1

PROCESS FOR DISCRETIONARY USE APPLICATIONS


EXCEPT WHERE SPECIFICALLY EXEMPTED BY CITY COUNCIL, DISCRETIONARY USE APPLICATIONS SHALL BE ADVERTISED ONCE IN A SATURDAY NEWSPAPER. IN ADDITION A SIGN SHALL BE POSTED ON THE AFFECTED PROPERTY INDICATING THAT AN APPLICATION FOR DEVELOPMENT HAS BEEN SUBMITTED.
APPLICATION LODGED WITH DEVELOPMENT OFFICER FOR PROCESSING
APPLICATION CIRCULATED. ADVERTISEMENT PLACED AND SIGN POSTED (SEE ABOVE)
PREPARATION OF REPORT TO REGINA PLANNING COMMISSION (RPC)
RECOMMENDATION OF RPC FORWARDED TO CITY COUNCIL FOR DECISION
IF APPROVAL GIVEN BY COUNCIL A DEVELOPMENT PERMIT WILL BE ISSUED BY DEVELOPMENT OFFICER
APPLICATION CIRCULATED TO ALL AFFECTED CITY DEPARTMENTS AND GOVERNMENT AGENCIES (e.g., Sask Tel, Sask Power, etc.) APPLICATION ALSO CIRCULATED TO COMMUNITY GROUP(S) IN AREA.

6. Where any development, for which a development permit has been issued, is not being undertaken in accordance with this Bylaw, the Act, or other relevant City bylaws, and in the case of a discretionary use, in accordance with development standards specified by Council, Council may direct that the development officer revoke or suspend all development permits; provided that the development permit shall be reinstated upon compliance with this Bylaw, the Act, any other relevant bylaw or the development standards imposed by Council.

7. Development permits shall be valid for two years from the date of issuance by the Development Officer.

2.4 NO DEVELOPMENT PERMIT REQUIRED

No Development Permit shall be required for the following:

1. Maintenance or repair that does not require a Building Permit.

2. The completion of a building or structure lawfully under construction at the date of approval of this Bylaw provided that:

   a) it is completed in compliance with its building permit, and

   b) construction or reconstruction is commenced within six months of the date of issuance of the last permit relating thereto.

3. The temporary facilities required for development operations for which a development permit has been issued, for the period of those operations.

4. The maintenance and repair of public works, services and utilities carried out by or on behalf of public authorities.

5. Accessory buildings with a floor area of less than 9.3 square metres.

6. Fences.

2.5 Public Notification Signage

1. The City of Regina shall, except where specifically exempted by City Council, post public notification signage on all properties affected by a zoning bylaw amendment or discretionary use application, upon receipt of said application. The sign shall indicate the purpose of the proposed zoning amendment or discretionary use application, and shall indicate where additional information may be obtained.

2. Signs shall be regularly inspected by the City of Regina during the application process to ensure that the signs have not been defaced, damaged or removed from the site.

3. The signs shall remain on the property affected by the application during the entire zoing bylaw amendment or discretionary use process, and shall be removed by the City following a final decision by City Council to approve or deny the application.

4. The applicant shall be responsible to pay the cost associated with the signposting process for discretionary use applications as specified in Section 2.6, Fees.

2.6 FEES

1. When application is made to City Council under the discretionary use procedure, the applicant shall be responsible to pay the cost of newspaper advertisement for the application, as well as the cost associated with the preparation, installation and removal of public notification signage on the lot indicating that the application for development has been received.

2. When application is made to City Council for an amendment to this Bylaw, the applicant shall be responsible to pay the cost associated with advertising the application.

2.7 DEVELOPMENT APPEALS BOARD

1. The Development Appeals Board of the City of Regina is established.

2. The Development Appeals Board shall comprise nine persons who shall be appointed in accordance with Section 92 of The Planning and Development Act, 1983.

3. An appeal to the Development Appeals Board and therefrom to the Provincial Planning Appeals Board may be taken in accordance with the Planning and Development Act, 1983.

2.8 REPEAL OF BYLAWS

Bylaw 7878 and amendments thereto is hereby repealed.

2.9 EFFECTIVE DATE OF BYLAW

This Bylaw shall come into force as of the date of approval by the Minister of Urban Affairs.

2.10 SEVERABILITY PROVISION

A decision of a Court that one or more of the provisions of this Bylaw are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this Bylaw.

2.11 OFFENCES AND PENALTIES

Any person who violates this Bylaw is guilty of an offense and liable on summary conviction to the penalties in the Act.

2.12 TIME RESTRICTIONS ON REZONING AND DISCRETIONARY USE APPLICATION RESUBMISSION

Where the Council of the City of Regina has considered and denied an application for discretionary use or to rezone property, no further application to develop or rezone the same property to the same use may be made to Council or to the Development Officer until the expiration of a period of twelve months following the date of Council's denial.

SECTION 3

DEFINITIONS

1. The following definitions apply in interpreting this Bylaw unless a contrary intention appears:

ACCESSORY

A use, separate building, or structure, normally incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure but does not include a building or structure used for human habitation.

ACT

The Planning and Development Act 1983, as amended.

ADJACENT OUTDOOR PLAY SPACE

An area of usable open space which is accessory to and located on the same site as a day care centre.

ADULT CARE HOMES

A home or place of accommodation where care in the form of supervision or assistance in the activities of daily living by reason of need, age, blindness or physical or mental infirmity, is given to 4 to 14 persons.

AMUSEMENT ARCADE

A building or part of a building where mechanical or electronic games are kept for the purpose of furnishing entertainment or amusement to the public, for a fee.

ANIMAL HOSPITAL

A building providing surgical or medical treatment or examination of animals.

ANIMAL SHELTER

A building used for temporary accommodation or impoundment of animals, which may include outdoor facilities.

ANIMATED SIGNS

Any sign or part of a sign which changes physical position by a movement or rotation or which gives the visual impression of such movement or rotation.

APPROVED HOMES

Private Family homes providing room and board or care for 1 to 6 persons needing special care as defined by the Mental Health Act (Government of Saskatchewan).

ATRIUM

An area within a building which accesses sunlight through a translucent surface on a roof.

AWNING

A covering, typically of canvas stretched on a frame, projecting from a wall over a window or an entrance.

AWNING SIGN

A non-illuminated identification sign painted or affixed flat to the surface of an awning which does not extend vertically or horizontally beyond the limits of such awning.

BAKERY SHOP

A retail outlet selling bakery products in which the production of bakery goods is an accessory use which occupies a space not exceeding 200m^2 in gross floor area.

BILLBOARD

Any sign which advertises goods, products, services or facilities or which directs persons to a different location from where the sign is installed.

BOARDING CARE HOME - TYPE 1

A private family home licensed by the City of Regina Health Department caring for up to six (6) senior citizens or persons, for remuneration, with at least one (1) but not more than three (3) requiring supervisory or nursing care on Levels 1, 2, or 3 as defined by the Saskatchewan Government. The Boarding Care Home must be the principal residence of the owner of the Boarding Care Home.

BOARDING CARE HOME - TYPE 2

A private family home licensed by the City of Regina Health Department, caring for up to six (6) senior citizens or persons, for remuneration, with at least one (1) but not more than three (3) requiring supervisory or nursing care on Levels 1, 2, or 3 as defined by the Saskatchewan Government. The Boarding Care Home must be the principal residence of the operator of the Boarding Care Home.

Boarding Care Home Operator

A person(s) licensed by the City of Regina whose primary residence is the boarding care home and who is responsible for the operation of the home and the care of the residents.

Boarding Care Home Owner

A person(s) licensed by the City of Regina who own the boarding care home and whose primary residence is the boarding care home and who is responsible for the operation of the home and the care of the residents.

BUILDING

A structure used for the shelter or accommodation of persons, animals, goods, chattels or equipment, having a roof which is supported by columns or walls and including any tents situated on private property when so used.

BUILDING BYLAW

The bylaw of the City regulating the erection, alteration, repair, occupancy or maintenance of buildings and structures.

BUILDING, APARTMENT

A building except as otherwise defined herein containing more than four dwelling units.

BUILDING, APARTMENT - LOW-RISE

A building containing more than four dwelling units which building does not exceed thirteen (13) metres in height except where otherwise restricted in the Zoning Maps.

BUILDING, DUPLEX

A building divided horizontally into two dwelling units.

BUILDING, FOURPLEX

A building containing four dwelling units.

BUILDING, MIXED-USE

A building containing residential uses and grade level commercial uses as defined herein as Mixed-Use, which commercial uses shall not exceed 50% of the buildings' gross floor area.

BUILDING, SENIOR CITIZENS APARTMENT

A building solely containing units for the exclusive use of senior citizens, which building is not operated for monetary gain.

BUILDING, TRIPLEX

A building containing three dwelling units.

BUSINESS VEHICLE (HOME OCCUPATION, RESIDENTIAL OFFICE)

Any vehicle utilized to service a home occupation or residential office operation which vehicle is in conformance with Section 10.1 and 10.2 of this bylaw, and the gross weight which does not exceed 2722 kilograms, the gross weight being the combined weight of a vehicle and of the load carried thereon.

CAMPGROUND

An area of land, managed as a unit, providing short term accommodation for tents, tent trailers, travel trailers, recreational vehicles and campers.

CANOPY

A permanent roof-like shelter extending from part or all of a building face over a public right-of-way and constructed of some durable material such as metal, glass or plastic.

CANOPY SIGN

Any sign attached to or constructed in or on a canopy.

CANTILEVER

An overhanging part of a structure supported at one end only.

CARPORT

A parking space with a roof and not more than two walls - one of which shall not be on the side yard side.

CAR WASH

A building or part of a building which is used for washing passenger vehicles.

CHURCH

A building utilized by adherents to a religious faith for meeting, study and worship and recreation purposes.

CITY

The City of Regina.

COMMERCIAL CLUB

A building or part of a building used for the commercial operation of health, social, cultural or recreational activities.

CONFECTIONERY STORE

A store not exceeding 150m^2 in gross floor area offering for sale primarily groceries, including a fast food outlet as an accessory use, and providing a convenience service to a specific neighbourhood.

CONVENIENCE STORE

A store with a floor area between 150m^2 and 300m^2 in gross floor area offering for sale primarily groceries, and selling largely to the motoring public including a fast food outlet as an accessory use and providing a convenience service to a specific neighbourhood.

COUNCIL

The Council of the City.

COVERAGE

The percentage of the lot which is covered by buildings or structures excluding uncovered swimming pools, uncovered terraces, uncovered porches, decks and carports.

DAY CARE CENTRE

Any facility with the exception of approved family homes and schools, where day care services are offered to 10 or more children at any one time, for more than 3 but less than 24 consecutive hours a day for any one child.

DAY CARE SERVICES

Those services having as their purpose the non-parental care and supervision of children in a location other than the children's own home.

DEVELOPMENT

The carrying out of any building, engineering, mining or other operations in, on, or over land or the making of any material change in the use or the intensity of the use of any building or land.

DEVELOPMENT OFFICER

The Director of Urban Planning.

DIRECTIONAL SIGN

Any sign stating only safety or warning messages, traffic and/or parking directions or other instructions, directions or orders to persons making use of the premises.

DISCRETIONARY USES

Uses of land, buildings, or other structures that may be permitted in a zone only at the discretion of and at the location or locations specified by Council.

DWELLING

A building or part of a building that may be used as a permanent residence excluding a mobile home, but including a factory-built home.

DWELLING UNIT

One or more rooms that may be used as a residence each unit having sleeping, cooking and toilet facilities.

DWELLING UNIT, APARTMENT

A dwelling unit in an apartment building.

DWELLING UNIT, APARTMENT - LOW RISE

A dwelling unit in a low-rise apartment building.

DWELLING, CONVERTED

An existing building originally constructed as a detached dwelling unit, which may be used for more than one dwelling unit.

DWELLING UNIT, DUPLEX

A dwelling unit in a duplex building.

DWELLING UNIT, FOURPLEX

A dwelling unit in a fourplex building.

DWELLING UNIT, DETACHED

A building containing only one dwelling unit.

DWELLING, MOBILE HOME

A trailer coach that is used as a dwelling all the year round; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewer system.

DWELLING UNIT, SEMI-DETACHED

A dwelling unit in a building divided vertically into two dwelling units by a common wall extending from the base of the foundation to the roof line.

DWELLING UNIT, TOWNHOUSE

A dwelling unit in a building divided vertically by a common wall extending from the foundation to the roof into three or more attached dwelling units, each having a separate entrance at grade.

DWELLING UNIT, TRIPLEX

A dwelling unit in a triplex building.

DWELLING UNIT, ZERO LOT LINE

A dwelling unit which is constructed abutting a side lot line so as to have only a single side yard.

ELEVATION

The vertical distance above or below mean sea level.

EXISTING

Existing as of the date of final approval of this Bylaw.

FAST FOOD OUTLET

A building or a portion of a building in which food is cooked or otherwise prepared for sale for consumption off-site.

FLOOR AREA RATIO

The gross area of all buildings on a lot divided by the lot area.

FREE-STANDING SIGNS

See Ground Signs

GAS BAR

An outlet comprised of gas pumps and a cashier building, selling motor fuels and, as an accessory use, lubricating oils and automobile accessories.

GRADE

In all Residential Zones the average elevation of the natural ground level at the walls of a building and in all other zones the average elevation of the sidewalk, or where there is no sidewalk, of the roadway in front of the lot on which the building stands.

GROCERY STORE

A store greater than $300m^2$ in gross floor area which offers a wide range of grocery, dairy, produce and meat products.

GROSS FLOOR AREA

The total floor area in a principal building or structure measured between the exterior faces of the exterior walls of the building or structure at the level of each storey below, at and above grade, excluding the area used for offstreet unloading, parking except as provided for in the D: Downtown Zone, mechanical equipment, stairways or shafts.

GROUND SIGNS

Any sign supported by one or more up-rights or braces placed in the ground and not attached to any building.

GROUP HOMES, TYPE 1 - RESIDENTIAL CARE HOMES

An agency or govenment operated home for up to 10 adults or children with physical, mental or emotional handicaps. These homes provide stable, long-term living arrangements, which will normally be for more than six months.

GROUP HOMES, TYPE 2 - CRISIS CARE FACILITY

An agency or government operated home which houses up to 30 persons in a crisis or transitional situation. These facilities are intended to provide only short-term accommodation, which shall be a period of six months or less.

HAZARDOUS MATERIALS

Any product, substance or organism which, because of its quantity, concentration or risk of spill, or its physical, chemical or infectious characteristics, either individually or in combination with other substances is an existing or potential threat to the physical environment, to human health or to other living organisms, including but not limited to the following:

- Explosives
- Gases, compressed, deeply refrigerated, liquefied or dissolved under pressure
- Flammable and combustible liquids
- Flammable solids; substances liable to spontaneous combustion; substances that on contact with water emit flammable gases
- Oxidizing substances; organic peroxides
- Poisonous (toxic) and infectious substances
- Radioactive materials
- Corrosives
- Any other environmentally hazardous substance

HEIGHT

Means the vertical distance measured from grade level to the higher of:

1) the highest point of a flat roof
2) the mean level between eaves and ridge of a pitched roof.

Where a building is constructed with a pitched roof in the TAR - Transitional Area Residential, CARC - College Avenue Residential/ Commercial and TAS - Transitional Area Service Zones, the perpendicular distance between grade level and any ridge of the roof shall not exceed the maximum permitted height specified for that location on the site plus 4.6m.

HEIGHT OF SIGN

The vertical distance measured from the adjacent street curb other than an elevated roadway, which permits the greatest height to the highest point of said sign.

HOME OCCUPATION

An occupation conducted for gain in a dwelling unit.

HOTEL

A building or group of buildings where temporary sleeping accommodation is provided to the public, in any zone other than residential.

HOTEL, APARTMENT

A building used for a hotel and apartment dwelling units wherein the gross floor area of the dwelling units does not exceed fifty percent of the gross floor area of the building.

HOUSE-FORM COMMERCIAL/RESIDENTIAL BUILDINGS

A building as it existed in the Transitional Area, as of March 21, 1984, which was originally constructed as a detached dwelling, and contains one or more of the following uses which may be developed in conjunction with dwelling units: art galleries; offices; day care centres; libraries; eleemosynary institutions, personal service establishments, restaurants, licensed restaurants, licensed dining rooms and licensed cocktail rooms.

IDENTIFICATION SIGN

A sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or in the institution, or the occupation of the occupant.

INDOOR PLAY SPACE

Space utilized by the children in a day care centre during their daily activity, excluding kitchens, hallways, bathrooms, closets, utility rooms, storage rooms and other similar areas.

LANDSCAPING

The modification and enhancement of a site through the use of any or all of the following elements:

a) "soft landscaping" consisting of vegetation such as trees, shrubs, hedges, grass and ground cover;

b) "hard landscaping" consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt;

c) "architectural elements" consisting or wing walls, sculpture and the like.

LANE

Any public right-of-way providing a secondary level of access to a lot or parcel of land with a width of between 6 metres and 9 metres inclusive.

LIBRARY

A non-commercial facility which loans books and other materials to the public.

LICENSED BEVERAGE ROOM

A room usually in a hotel (or associated with a restaurant) for which a license has been obtained from the Saskatchewan Liquor Licensing Commission, for the sale of beer, wine, or spirits, with or without food, to persons of legal age or older.

LICENSED COCKTAIL ROOM

A room adjoining a licensed dining room for which a license has been obtained from the Saskatchewan Liquor Licensing Commission, entitling the licensee to sell beer, wine or spirits for consumption, with or without food, in either the cocktail room or licensed dining room, by persons of legal age or older.

LICENSED DINING ROOM

A restaurant for which a license has been obtained from the Saskatchewan Liquor Commission, enabling it to sell beer, wine, or spirits by the glass to persons of legal age or over consuming a meal in the dining room.

LICENSED RESTAURANT

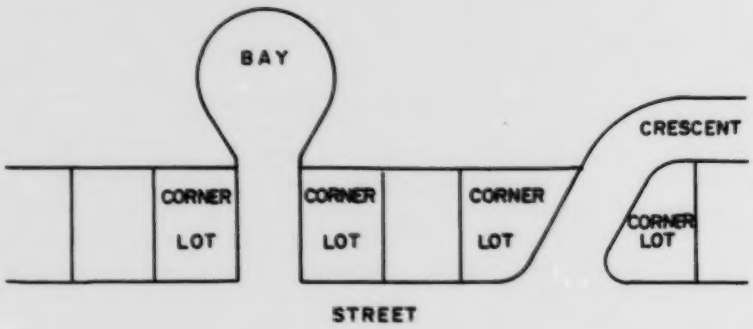
A restaurant for which a license from the Saskatchewan Liquor Commission has been obtained, enabling it to sell beer and wine by the glass to persons of legal age or older when consuming a meal in the restaurant.

LOT

A parcel or contiguous parcels of land in one ownership.

LOT, CORNER (See Diagram)

A lot at the intersection of two or more streets, or upon two parts of the same street, the adjacent sides of which street or streets (or, in the case of a curved corner, the tangents at the street extremities of the side lot lines) contain an angle of not more than one hundred and thirty-five (135) degrees. In the case of a curved corner, the corner of the lot shall be that point on the street line nearest to the point of intersection of the said tangents.

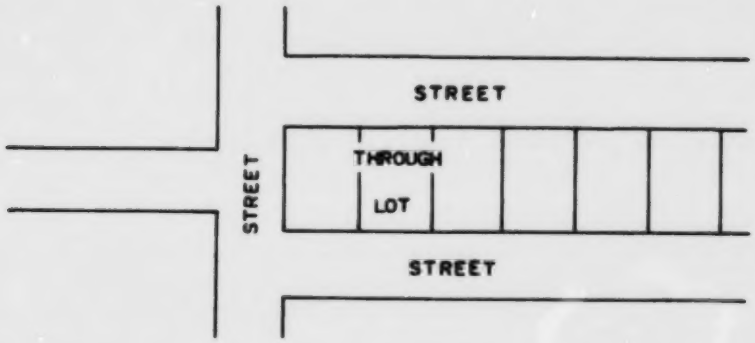


LOT, MOBILE HOME

A lot designed for the placement of a mobile home.

LOT, THROUGH (see Diagram)

A lot bounded on opposite sides by streets.



LOT DEPTH

The average distance between the front and rear lot lines and, in the case of a triangular lot, the perpendicular distance from the front lot line to the apex of the angle formed by the intersection of the side lot lines.

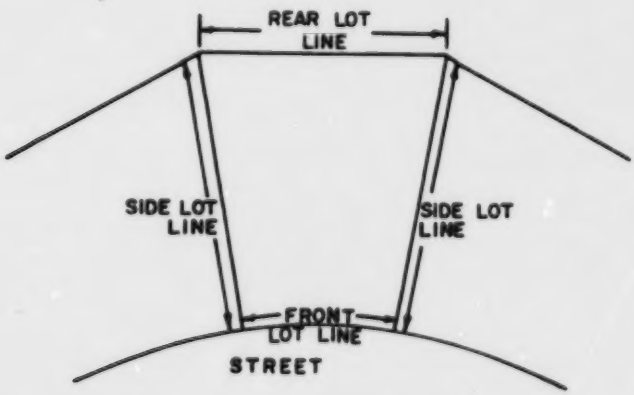
LOT LINE (see Diagram)

The boundary line of a lot, defined as follows:

1) Lot Line, Front means the line dividing the lot from the street; for a corner lot, the front lot line shall be the lot line on the same street as the front lot lines of lots on the same block face; for a through lot, the front lot line shall be that street line which interfaces most directly with adjacent land uses.

2) Lot Line, Rear means the lot line or point of intersection of the side lot lines farthest from and opposite the front lot line.

3) Lot Line, Side means a lot line other than a front or rear lot line.



MARQUEE SIGN

See Canopy Signs

MIXED-USE

A mixture of uses containing residential and one or more of the following types of uses - confectionary stores, retail stores, personal service establishments, repair shops, offices, banks or other financial institutions, restaurants, licensed restaurants, licensed dining rooms, bakery shops, day care centres or nursery schools.

MOBILE HOME SITE

A parcel of land within a mobile home park intended for the exclusive use of a mobile home and, such sites shall be clearly marked by permanent markers or other suitable means.

MOBILE HOME PARK

A lot under single management, for the placement of two or more mobile homes.

NIGHT CLUB

A building or part of a building which features commercial entertainment including music and dancing. Food and beverages including alcoholic beverages may be provided to the patrons.

NURSERY SCHOOL - TYPE 1

A facility not located within a residential zone, with the exception of the TAR, CARC and R6 zones, that receives at one time a minimum of 5 children who are not of compulsory school age, on a regular basis, for educational and social purposes and which is not subject to the City of Regina Day Care Regulations or under the jurisdiction of the Department of Education (The Education Act).

NURSERY SCHOOL - TYPE 2

A facility which is located within a residential zone that receives at one time a minimum of 5 children and a maximum of 10 children who are not of compulsory school age, on a regular basis, for educational and social purposes and which is not subject to the City of Regina Day Care Regulations or under the jurisdiction of the Department of Education (The Education Act).

OFFICE

A place where non-retail business affairs are conducted for the following purposes: administration; sales; general business; professional services; real estate or insurance offices.

OFF-SITE CAVEATED PARKING

A lot or a portion of a lot against which a caveat has been registered by the City under the provisions of Section 9.18.9.

OWNER

A person recorded as such on official records and including duly authorized agent or notary, a purchaser, devisee, judiciary; any person having a vested or contingent interest in the property in question.

PARAPET

That portion of a building wall that rises above the roof level.

PARKING LOT, PAVED

A lot or building, or portion thereof, used for paved parking as a principal use.

PARKING LOT, UNPAVED

A lot or building, or portion thereof, used for unpaved parking as a principal use.

PARKING SPACE

A space to park one vehicle, exclusive of driveways, ramps and columns, subject to the provisions of Section 9.18.

PENTHOUSE

Roof top enclosures for elevator machinery, stairways and service rooms used for no purpose other than for service to the building.

PERMITTED USES

A use or development to which an owner is entitled as of right to a development permit (Building Permit) provided the use or development conforms to the development standards and regulations which pertain thereto in this Bylaw.

PERSONAL SERVICE ESTABLISHMENT

A business where professional or personal services are provided for gain and where the retailing of goods, wares, merchandise, articles or things is only accessory to the provisions of such services, including but without limiting the generality of the foregoing, the following: barber shops; beauty shops; tailor shops; laundry or drycleaning shops; shoe repair shops, but not including any use listed in Appendix A.

PLANNED GROUP OF DWELLING UNITS

A development of more than one residential building on a lot.

PORTABLE SIGN

A free standing sign mounted on a trailer, stand or similar support structure which is designed in such a manner that the sign can readily be relocated to provide advertising at another location, and may include copy that can be changed manually through the use of attachable characters.

PREMISE

A building or part of a building occupied by a business.

PRIVATE AMENITY SPACE

An area comprised of on-site, common or private, indoor or outdoor space, designed for active or passive recreational activities, including but not limited to the following uses or purposes: games room, party room, swimming pool, sauna, hot tub, patio, terrace, roof garden, landscaping, court yard and greenhouse. Private Amenity Space shall not include any space normally incidental to the use being carried out on the land.

PRIVATE CLUB

A building or part of a building used exclusively by the members and guests of a club for social, recreational or athletic activities.

PROJECTING SIGNS

Any sign other than a wall sign, which is attached to a building and extends beyond the line of the said building or beyond the surface of that portion of the building to which it is attached more than 300 millimetres.

PUBLIC AMENITY SPACE

A portion of a building which is primarily intended for use by the public and is accessible without charge to the public excluding any public space normallly incidental to the use being carried out on the land, and including, but not limited to, the following uses or purposes: entertainment, shelter from the elements, incorporation of identified heritage buildings and/or facades within a new development, landscaping, public recreational space, art displays, galleries, seating areas, arcades, transit shelters, atriums and conservatories.

RECREATIONAL SCHOOL

A facility used for training and instruction for a recreational activity, including but without limiting the generality of the foregoing, the following: martial arts, dance, music and cultural schools, but not including any recreational school listed in Appendix A.

RECONSTRUCTION

The redevelopment, reuse, or rebuilding of an existing building including the rearrangement or replacement of structural supporting elements except exterior walls and without any structural additions to the original building.

REPAIR SHOP

A shop for servicing, installing or renting things and equipment, including but without limiting the generality of the foregoing, the following: radio or television repair shops, household and carpenter tool repair shops, but not including any use listed in Appendix "A".

RESIDENTIAL OFFICE

An office in a dwelling which is used to carry out the administrative duties of a business that performs services off the premises.

RESTAURANT

A building where food and non-alcoholic beverages are offered for sale to the public for consumption at tables or counters either inside or outside the building on the lot. As an accessory use take-out service of food and beverages for off-site consumption may be provided where listed as a principal use in the zone.

RESTAURANT, DRIVE-IN

A building where food and drink are served to the public and at which parking facilities are provided for customers to eat in their automobiles.

RETAIL STORE

A building where goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, including storage of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service such store, but not including any use listed in Appendix A.

ROOF SIGNS

Any sign erected upon and above the roof of a building within the peripheral exterior dimensions of the building.

ROOMING HOUSE

A building containing more than one rooming unit.

ROOMING UNIT

A room or rooms for accommodation other than a dwelling unit or other form of accommodation defined elsewhere in this Bylaw with sleeping facilities but without private toilet facilities.

ROTATING SIGN

Any sign or portion of a sign which moves in a revolving or similar manner.

SATELLITE DISH

A parabolic antenna utilized for the reception of satellite transmitted television and radio waves.

SERVICE STATION

A building or clearly defined space on a lot for the sale of lubricating oils, gasolines and automobile accessories and servicing of vehicles.

SHOPPING CENTRE

Any group of more than five (5) permitted or discretionary uses, designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants.

SIGN

Any writing (including letter or word), pictorial representations (including illustrations or decoration), emblem (including device, symbol or trademark), flag (including banner or pennant), or any other figure of similar character which

(i) is a structure or any part thereof, or is attached to, painted on, or in any manner represented on a building
(ii) is used to announce, direct attention to, or advertise, and
(iii) is visible from outside the building

SIGN FACE

The entire area of a sign on which a copy could be placed.

SPECIAL CARE HOMES (NURSING HOMES)

Institutionalized nursing homes providing care for at least 15 senior citizens or other persons requiring nursing care.

STOREY

That portion of a building between the upper surface of any floor and the upper surface of the floor next above, except that the topmost storey shall be that portion of a building between the upper surface of the top-most floor and the roof line.

STREET

The whole and entire width of every highway, public road, or road allowance vested in Her Majesty in Right of the Province of Saskatchewan and shown as such on a Plan of Subdivision registered in the Land Titles Office for the Regina Land Registration District.

STREET LINE

The line between a lot and a street.

STRUCTURE

Anything constructed or erected, the use of which requires location on the ground or attachment to something located on the ground but not including pavements, curbs, walks or open air surfaced areas or moving vehicles.

SURFACE AREA (SIGN)

The area of the smallest geometric figure which describes the area enclosed by the sign face.

TEMPORARY SIGNS

Any sign, banner, pennant, valance or advertising display, with or without frames, intended to be displayed for a short period of time.

TRUCK WASH

A building or part of a building which is used for washing trucks or other similar large vehicles.

USABLE OPEN SPACE

When used in reference to a day care centre, includes the multi-purpose outdoor areas intended for children's games and activities, and excludes the service areas required for outdoor storage, garbage, parking and gardens.

USE

The utilization of land or structure(s).

VEHICULAR REPAIR ESTABLISHMENT

A building or place where motor vehicles are repaired or serviced.

VERTICAL (CANTILEVER) CONSTRUCTION

A sign that does not have braces or guy wires to support the sign, but which may have braces or guy wires to support each sign face if such braces or guy wires are not located beyond the extremities of the face which they support, when the sign is viewed at right angles to such face.

WALL SIGNS

Any sign attached against the surface of, or within a recess in the wall, a column or other perpendicular portion, and including any signs attached to the walls of two or more buildings and spanning the space or spaces between the said building(s).

WINDOW SIGN

Any sign either painted on or attached to, or installed inside a window for purposes of viewing from outside the premises. This does not include merchandise inside a window.

YARD

The open, uncovered space on a lot appurtenant to a building and unoccupied by buildings or structures except as specifically permitted elsewhere in this Bylaw. In determining yard measurements the minimum horizontal distance from the respective lot lines shall be used.

YARD, FRONT (see Diagram)

That part of a lot which extends across the full width of a lot between the front lot line and the nearest wall or supporting member of a building or structure.

YARD, REAR (see Diagram)

That part of a lot which extends across the full width of a lot between the rear lot line and the nearest wall or supporting member of a principal building or structure.

YARD, SIDE (see Diagram)

That part of a lot which extends from a front yard to the rear yard between the side lot line of a lot and the nearest wall or supporting member of a building or structure except where the supporting member is supporting an uncovered patio or uncovered sundeck.

ZONE

A district established by this Bylaw.

ZONING MAPS

The maps contained in Section 14 of this Bylaw.

SECTION 4

RESIDENTIAL USE ZONES

4.1 R1: RESIDENTIAL DETACHED ZONE

GENERAL PURPOSE OF ZONE

The R1 Zone is the most restrictive residential zone. It permits only detached dwelling units as residential uses.

4.1.1 PERMITTED USES

The following are permitted uses in R1 Zones:

a) All permitted uses in PS - Public Service Zone
b) Approved Homes
c) Boarding Care Homes - Type 1
d) Detached Dwelling Units
e) Group Homes - Type I (Residential Care Home) one per sponsoring agency per district subject to the provisions of Section 10.3
f) Home occupations subject to the provisions of Section 10.2
g) Public Uses subject to the provisions of Section 9.3
h) Residential offices subject to the provisions of Section 10.1

4.1.2 DISCRETIONARY USES

The following are discretionary uses in R1 Zones:

a) Adult Care Homes
b) Boarding Care Homes - Type 2
c) Churches subject to the regulations applicable to the I - Institutional Zone
d) Day Care Centres subject to the provisions of Section 10.4
e) Group Homes - Type I (Residential Care Home) one per sponsoring agency per district, in addition to that permitted in this zone, subject to the provisions of Section 10.3
f) Nursery Schools - Type 2
g) Planned Groups of Dwelling Units subject to the provisions of Section 10.5

4.1.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio, and yards are shown on Table 1, Dwelling Unit Regulations, unless otherwise specified on the Zoning Maps.

2) The maximum building height in the R1 Zone shall be 11 metres unless otherwise specified on the Zoning Maps.

3) Accessory uses in this zone shall be subject to the provisions of Section 9.2.

4.2 R1A: RESIDENTIAL OLDER NEIGHBOURHOOD DETACHED ZONE

GENERAL PURPOSE OF ZONE

This zone is less restrictive than the R1 Zone because it permits smaller lot sizes for R1 uses in older residential areas.

4.2.1 PERMITTED USES

The following are permitted uses in R1A Zones:

a) All permitted uses in PS - Public Service Zones
b) Approved Homes
c) Boarding Care Homes - Type 1
d) Detached Dwelling Units
e) Group Homes - Type 1 (Residential Care Home) one per sponsoring agency per district subject to the provisions of Section 10.3
f) Home Occupations subject to the provisions of Section 10.2
g) Public Uses subject to the provisions of Section 9.3
h) Residential Offices subject to the provisions of Section 10.1

4.2.2 DISCRETIONARY USES

The following are discretionary uses in R1A Zones:

a) Adult Care Homes
b) Boarding Care Homes - Type 2
c) Churches subject to the regulations applicable to the I - Institutional Zone
d) Day Care Centres subject to the provisions of Section 10.4
e) Group Homes - Type I (Residential Care Home) one per sponsoring agency per district, in addition to that permitted in this zone, subject to the provisions of Section 10.3
f) Nursery Schools - Type 2
g) Planned Groups of Dwelling Units subject to the provisions of Section 10.5

4.2.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio, and yards are shown on Table 1, Dwelling Unit Regulations, unless otherwise specified on the Zoning Maps.

2) The maximum building height in the R1A Zone shall be 11 metres unless otherwise specified on the Zoning Maps.

3) Accessory Uses in the zone shall be subject to the provisions of Section 9.2.

4.3 R2: RESIDENTIAL SEMI-DETACHED ZONE

GENERAL PURPOSE OF ZONE

This zone permits as many as two dwelling units in a single building.

4.3.1 PERMITTED USES

The following are permitted uses in R2 Zones:

a) All permitted uses in PS - Public Service Zone
b) Approved Homes
c) Boarding Care Homes - Type 1
d) Detached Dwelling Units
e) Duplex Dwelling Units
f) Group Homes - Type 1 (Residential Care Home) one per sponsoring agency per district subject to the provisions of Section 10.3
g) Home Occupations subject to the provisions of Section 10.2
h) Public Uses subject to the provisions of Section 9.3
i) Residential Offices subject to the provisions of Section 10.1
j) Semi-detached Dwelling Units

4.3.2 DISCRETIONARY USES

The following are discretionary uses in R2 Zones:

a) Adult Care Homes
b) Boarding Care Homes - Type 2
c) Churches subject to the regulations applicable to the I - Institutional Zone
d) Day Care Centres subject to the provisions of Section 10.4
e) Group Homes - Type I (Residential Care Home) one per sponsoring agency per district, in addition to that permitted in this zone, subject to the provisions of Section 10.3
f) Nursery Schools - Type 2
g) Planned Groups of Dwelling Units subject to the provisions of Section 10.5

4.3.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio, and yards are as shown on Table 1, Dwelling Unit Regulations, unless otherwise specified on the Zoning Maps.

2) The maximum building height in the R2 Zone shall be 11 metres unless otherwise specified on the Zoning Maps.

3) Accessory Uses in this zone shall be subject to the provisions of Section 9.2.

4.4 R3: RESIDENTIAL OLDER NEIGHBOURHOOD ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to stabilize older low density residential areas and to encourage, on a limited scale, the development or redevelopment of residential uses compatible with the neighbourhood.

4.4.1 PERMITTED USES

The following are permitted uses in R3 Zones:

a) All permitted uses in PS - Public Service Zone
b) Approved Homes
c) Boarding Care Homes - Type 1
d) Detached Dwelling Units
e) Duplex Dwelling Units
f) Group Homes - Type 1 (Residential Care Home) one per sponsoring agency per district subject to the provisions of Section 10.3
g) Home Occupations subject to the provisions of Section 10.2
h) Public Uses subject to the provisions of Section 9.3
i) Residential Offices subject to the provisions of Section 10.1
j) Semi-detached Dwelling Units

4.4.2 DISCRETIONARY USES

The following are discretionary uses in R3 Zones:

a) Adult Care Homes
b) Boarding Care Homes - Type 2
c) Churches subject to the regulations applicable to the I - Institutional Zone
d) Day Care Centres subject to the provisions of Section 10.4
e) Group Homes - Type I (Residential Care Home) one per sponsoring agency per district, in addition to that permitted in this zone, subject to the provisions of Section 10.3
e) Nursery Schools - Type 2
g) Planned Groups of Dwelling Units subject to the provisions of Section 10.5

4.4.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio, and yards are as shown on Table 1, Dwelling Unit Regulations, unless otherwise specified on the Zoning Maps.

2) The maximum building height in the R3 Zone shall be 11 metres unless otherwise specified on the Zoning Maps.

3) Accessory Uses in this zone shall be subject to the provisions of Section 9.2.

4.5 R4: RESIDENTIAL OLDER NEIGHBOURHOOD ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to stabilize older, low density residential areas while recognizing the demand for the conversion of older, large detached dwellings to rental housing.

4.5.1 PERMITTED USES

The following are permitted uses in R4 Zones:

a) All permitted uses in PS - Public Service Zone
b) Approved Homes
c) Boarding Care Homes - Type 1
d) Detached Dwelling Units
e) Duplex Dwelling Units
f) Group Homes - Type 1 (Residential Care Home) one per sponsoring agency per district subject to the provisions of Section 10.3
g) Home Occupations subject to the provisions of Section 10.2
h) Public Uses subject to the provisions of Section 9.3
i) Residential Offices subject to the provisions of Section 10.1
j) Semi-detached Dwelling Units

4.5.2 DISCRETIONARY USES

The following are discretionary uses in R4 Zones:

a) Adult Care Homes
b) Boarding Care Homes - Type 2
c) Converted Dwellings
d) Churches subject to the regulations applicable to the I - Institutional Zone
e) Day Care Centres subject to the provisions of Section 10.4
f) Group Homes - Type I (Residential Care Home) one per sponsoring agency per district, in addition to that permitted in this zone, subject to the provisions of Section 10.3
g) Group Homes - Type 2 (Crisis Care Facilities) subject to the provisions of Section 10.3
h) Nursery Schools - Type 2
i) Planned Groups of Dwelling Units subject to the provisions of Section 10.5
j) Rooming Houses
k) Townhouse Dwelling Units

4.5.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio, and yards are as shown on Table 1, Dwelling Unit Regulations, unless otherwise specified on the Zoning Maps.

2) The maximum building height in the R4 Zone shall be 11 metres unless otherwise specified on the Zoning Maps.

3) Accessory Uses in this zone shall be subject to the provisions of Section 9.2.

4.6 R4A: RESIDENTIAL INFILL HOUSING ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to provide stability for older inner city neighbourhoods while recognizing that some areas may be appropriate for infill housing development.

4.6.1 PERMITTED USES

The following are permitted uses in R4A Zones:

a) All permitted uses in PS - Public Service Zone
b) Approved Homes
c) Boarding Care Homes - Type 1
d) Detached Dwelling Units
e) Duplex Dwelling Units
f) Group Homes - Type 1 (Residential Care Home) one per sponsoring agency per district subject to the provisions of Section 10.3
g) Home Occupations subject to the provisions of Section 10.2
h) Public Uses subject to the provisions of Section 9.3
i) Residential Offices subject to the provisions of Section 10.1
j) Semi-detached Dwelling Units

4.6.2 DISCRETIONARY USES

The following are discretionary uses in R4A Zones:

a) Adult Care Homes
b) Apartment Dwelling Units - Low Rise
c) Boarding Care Homes - Type 2
d) Churches subject to the regulations applicable to the I - Institutional Zone
e) Converted Dwelling Units
f) Day Care Centres subject to the provisions of Section 10.4
g) Fourplex Dwelling Units
h) Group Homes - Type I (Residential Care Home) one per sponsoring agency per district, in addition to that permitted in this zone, subject to the provisions of Section 10.3
i) Group Homes - Type 2 (Crisis Care Facilities) subject to the provisions of Section 10.3
j) Nursery Schools - Type 2
k) Planned Groups of Dwelling Units subject to the provisions of Section 10.5
l) Rooming Houses
m) Senior Citizens' Apartment Dwelling Units
n) Townhouse Dwelling Units
o) Triplex Dwelling Units

4.6.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio, and yards are shown on Table 1, Dwelling Unit Regulations unless otherwise specified on the Zoning Maps.

2) The maximum building height in the R4A Zone shall be 13 metres unless otherwise specified on the Zoning Maps.

3) Accessory Uses in this zone shall be subject to the provisions of Section 9.2.

4.7 R6: RESIDENTIAL MULTIPLE HOUSING ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to regulate the locations and standards for apartment buildings, townhouse and fourplex dwellings. The varying density designations will determine the intensity of residential development.

4.7.1 PERMITTED USES

The following are permitted uses in R6 Zones:

a) Apartment Dwelling Units - Low Rise
b) Approved Homes
c) Boarding Care Homes - Type 1
d) Fourplex Dwelling Units
e) Group Homes - Type 1 (Residential Care Home) one per sponsoring agency per district subject to the provisions of Section 10.3
f) Home Occupations subject to the provisions of Section 10.2
g) Public Uses subject to the provisions of Section 9.3
h) Residential Offices subject to the provisions of Section 10.1
i) Senior Citizens' Apartment Dwelling Units 13m or less in height
j) Townhouse Dwelling Units
k) Triplex Dwelling Units

4.7.2 DISCRETIONARY USES

The following are discretionary uses in R6 Zones:

a) Adult Care Homes
b) Apartment Dwelling Units
c) Boarding Care Homes - Type 2
d) Churches subject to regulations applicable to the I - Institutional Zone
e) Day Care Centres subject to the provisions of Section 10.4
f) Detached Dwelling Units
g) Duplex Dwelling Units
h) Group Homes - Type I (Residential Care Home) one per sponsoring agency per district, in addition to that permitted in this zone, subject to the provisions of Section 10.3
i) Group Homes - Type 2 (Crisis Care Facilities) subject to the provisions of Section 10.3
j) Nursery Schools - Type 1
k) Planned Group of Dwelling Units subject to the provisions of Section 10.5
l) Semi-detached Dwelling Units
m) Senior Citizens' Apartment Dwelling Units of greater than 13m in height

4.7.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio, and yards are as shown on Table 1, Dwelling Unit Regulations, unless otherwise specified on the Zoning Maps.

2) The maximum building height in the R6 Zone shall be 20 metres unless otherwise specified on the Zoning Maps.

3) Accessory Uses in this zone shall be subject to the provisions of Section 9.2.

4.8 R7: RESIDENTIAL MOBILE HOME ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to provide for the development of mobile home dwelling units and mobile home parks.

4.8.1 PERMITTED USES

The following are permitted uses in R7 Zones:

a) Approved Homes
b) Boarding Care Homes - Type 1
c) Group Homes - Type 1 (Residential Care Home) one per sponsoring agency per district subject to the provisions of Section 10.3
d) Home Occupations subject to the provisions of Section 10.2
e) Mobile Home Dwelling Units
f) Nursery Schools - Type 2
g) Public Uses subject to the provisions of Section 9.3
h) Residential Offices subject to the provisions of Section 10.1

4.8.2 DISCRETIONARY USES

The following are discretionary uses in R7 Zones:

a) Adult Care Homes
b) Boarding Care Homes - Type 2
c) Churches subject to the regulations applicable to the I - Institutional Zone
d) Day Care Centres subject to the provisions of Section 10.4
e) Mobile Home Parks
f) Group Homes - Type I (Residential Care Home) one per sponsoring agency per district, in addition to that permitted in this zone, subject to the provisions of Section 10.3

4.8.3 REGULATIONS

1) The regulations for mobile home parks and dwelling units are as follows:

2) a) Side yards

i) Where the main window of a living room in a mobile home faces a side lot or site line the side yard shall not be less than 7.5 metres.
ii) Where the main window of a living room in a mobile home does not face a side lot or site line the side yard shall not be less than 4 metres.
iii) The other side yard shall be not less than 1.8 metres.

iv) On a corner lot or site where the side yard abuts a street or roadway the side yard abutting the street or roadway shall not be less than 4 metres.

b) Structural Additions and Accessory Buildings

i) Structural additions to the mobile home may be projected into any yard provided:

a) the front yard projections do not exceed 1.5 metres and a floor area of 12 square metres; and
b) the projections into side and rear yards are not less than 1.2 metres from the side or rear lot or site lines and do not exceed a floor area of 8 square metres.

ii) Stairs and landing located in the side yard at the en- trance door to a mobile home shall not be less than 600 millimetres from the side lot or site line.

iii) Accessory buildings and structures shall be set back a distance of not less than 1.5 metres from the side or rear lot or site lines.

iv) Detached accessory buildings and structures shall not exceed 1 storey or 3.5 metres in height, or 75m^2 in gross floor area.

c) Minimum Floor Area

The minimum floor area of a mobile home shall not be less than that established by Canadian Standards Association - Z240 standards.

d) Buffer Strips and Landscaped Areas

i) A landscaped area of not less than 7.5 metres in width shall be provided and developed within a mobile home park along its boundary limits which shall be in addition to the area required for recreational use.

e) Mobile Home Park Recreational Areas

1) Ten (10%) percent of the gross area of mobile home parks shall be provided and developed for recreational use including community buildings and outdoor recreational facilities subject to the following:

a) In mobile home parks of 100 or less mobile home sites, one site centrally located and designated for recreational use shall be provided.

b) In mobile home parks of more than 100 mobile home sites two or more sites designated for recreational uses may be provided and distributed throughout the mobile home park.

f) Mobile Home Park Storage and Service Sites

A mobile home park shall provide a site or sites for all of the following uses associated with the operation of the park development:

i) Mobile Home Park office
ii) Service building or buildings
iii) Storage facilities for use by mobile home occupants
iv) Storage facilities for any equipment used in the operation and maintenance of the mobile home park

4.9 R8: RESIDENTIAL COMPACT HOUSING ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to permit greater flexibility in the siting of single and two family developments.

4.9.1 PERMITTED USES

The following are permitted uses in R8 Zones:

a) All uses permitted in the PS - Public Service Zone
b) Approved Homes
c) Boarding Care Homes - Type 1
d) Detached Dwelling Units
e) Detached Zero Lot Line Dwelling Units
f) Group Homes - Type 1 (Residential Care Home) one per sponsoring agency per district subject to the provisions of Section 10.3
g) Home Occupations subject to the provisions of Section 10.2
h) Public Uses subject to the provisions of Section 9.3
i) Residential Offices subject to the provisions of Section 10.1

4.9.2 DISCRETIONARY USES

The following are discretionary uses in R8 Zones:

a) Adult Care Homes
b) Boarding Care Homes - Type 2
c) Churches subject to the regulations applicable to the I - Institutional Zone
d) Day Care Centres subject to the provisions of Section 10.4
e) Duplex Dwelling Units
f) Group Homes - Type I (Residential Care Home) one per sponsoring agency per district, in addition to that permitted in this zone, subject to the provisions of Section 10.3
g) Nursery Schools - Type 2
h) Planned Groups of Dwelling Units subject to the provisions of Section 10.5
i) Semi-Detached Dwelling Units

4.9.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio, and yards are shown on Table 1, Dwelling Unit Regulations, unless otherwise specified in the Zoning Maps.

2) The maximum building height in the R8 Zone shall be 11 metres unless otherwise specified in the Zoning Maps.

3) Accessory Uses in this zone shall be subject to the provisions of Section 9.2.

4) Notwithstanding Section 9.18, parking stalls may be located in the minimum front yard provided that 33 per cent (33%) of the said front yard area is maintained as usable open space.

5) Zero lot line dwelling units shall have no windows located on the side of the dwelling abutting directly on a property line.

6) Zero lot line dwelling units shall have their side yards located so as to provide a minimum 1.8 metre separation space between dwellings.

7) Maintenance easements of no less than 1.8 metres shall be provided on the lot abutting the wall of a zero lot line dwelling which is located immediately adjacent to the side lot line.

8) Notwithstanding Section 9.5 of this bylaw, the outer edge of an eave of a zero lot line detached dwelling shall not project further than 0.75m onto any maintenance easement.

4.10 RM: RESIDENTIAL-MIXED USE ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to maintain the general residential character of a predominantly residential area, while at the same time recognizing the need for limited amounts of mixed use development to enable provision of services for the residents of the neighbourhood in controlled and compatible manner. Mixed-use developments shall be restricted to locations on major arterial streets to preserve the integrity of residential areas.

4.10.1 PERMITTED USES

The following are permitted uses in RM zones:

a) All Permitted Uses in PS - Public Service Zone
b) Approved Homes
c) Boarding Care Homes - Type 1
d) Converted Dwelling Units
e) Detached Dwelling Units
f) Duplex Dwelling Units
g) Group Homes - Type 1 (Residential Care Home) one per sponsoring agency per district subject to the provisions of Section 10.3
h) Group Homes - Type 2 (Crisis Care Facilities) subject to the provisions of Section 10.3
i) Home Occupations subject to the provisions of Section 10.2
j) Public Uses subject to the provisions of Section 9.3
k) Residential Offices subject to the provisions of Section 10.1
l) Rooming Houses
m) Semi-detached Dwelling Units
n) Townhouses

4.10.2 DISCRETIONARY USES

The following are discretionary uses in RM zones:

a) Adult Care Homes
b) Apartment Dwelling Units - Low Rise
c) Boarding Care Homes - Type 2
d) Churches subject to the regulations applicable to the I - Institutional Zone
e) Confectionery Stores
f) Day Care Centres subject to the provisions of Section 10.4
g) Fourplex Dwelling Units
h) Group Homes - Type 1 (Residential Care Home) one per sponsoring agency per district, in addition to that permitted in this zone, subject to the provisions of Section 10.3
i) Mixed Use Buildings
j) Nursery Schools - Type 2

k) Planned Groups of Dwelling Units subject to the provisions of Section 10.5
l) Senior Citizens' Apartment Dwelling Units
m) Triplex Dwelling Units

4.10.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio and yards are shown on Table 1, dwelling units regulations, unless otherwise specified on the Zoning Maps.

2) The maximum building height in the RM zone shall be 13 metres unless otherwise specified on the Zoning Maps.

3) Accessory Uses shall be subject to the provisions of Section 9.2.

4.11 CARC: COLLEGE AVENUE RESIDENTIAL/COMMERCIAL ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to accommodate the development of both residential and commercial uses of a low-rise, low to medium density nature. It is to provide for the conservation of the heritage-significant College Avenue streetscape through the preservation of the existing house-form buildings and through new development which is to be compatible with the height, bulk, massing and siting of existing house-form buildings.

Only those commercial and non-commercial residential service uses which are compatible with the adjacent residential area, and which do not generate high traffic volumes, are accommodated in this zone.

Uses which have been placed in the discretionary category include those which are basically in conformance with the purpose of this zone, but may, depending on a specific location, require a more detailed review and the prescription of certain conditions in order to ensure compatibility with surrounding uses and buildings.

4.11.1 PERMITTED USES

The following are permitted uses in CARC Zones:

a) Approved Homes
b) Boarding Care Homes - Type 1
c) Converted Dwellings
d) Day Care Centres subject to the provisions of Section 10.4
e) Detached Dwelling Units
f) Duplex Dwelling Units
g) Dwelling Units in the same building as a permitted or discretionary use in this zone
h) Eleemosynary Institutions
i) Fourplex Dwelling Units
j) Group Homes - Type 1 (Residential Care Home) one per sponsoring agency per district subject to the provisions of Section 10.3
k) Group Homes - Type 2 (Crisis Care Facilities) subject to the provisions of Section 10.3
l) Home Occupations subject to the provisions of Section 10.2
m) Libraries
n) Nursery Schools - Type 1
o) Public Uses subject to the provisions of Section 9.3
p) Residential Offices subject to the provisions of Section 10.1
q) Rooming Houses
r) Semi-Detached Dwelling Units
s) Townhouse Dwelling Units
t) Triplex Dwelling Units

4.11.2 DISCRETIONARY USES

The following are discretionary uses in CARC Zones:

a) Adult Care Homes
b) Apartment Dwelling Units - Low Rise
c) Art Galleries (public or private)
d) Boarding Care Homes - Type 2
e) Churches subject to the regulations applicable to the I - Institutional Zone
f) Community Centres
g) Confectionery Stores
h) Funeral Homes
i) Group Homes - Type I (Residential Care Home) one per sponsoring agency per district, in addition to that permitted in this zone, subject to the provisions of Section 10.3
j) House-Form Commercial/Residential Buildings
k) Offices
l) Planned Groups of Dwelling Units subject to the provisions of Section 10.5
m) Private Schools
n) Retail Stores of 200 square metres or less in gross floor area
o) Senior Citizens' Apartment Dwelling Units

4.11.3 REGULATIONS:

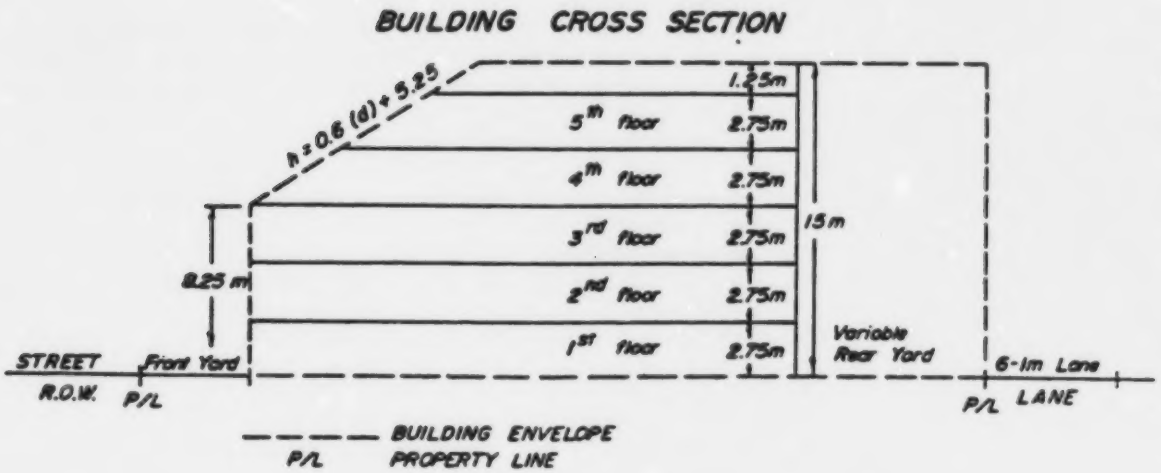
1) The regulations respecting lot area, frontage, coverage, floor area ratio and yards are as shown in this Section or in Table 1, Dwelling Unit Regulations unless otherwise specified on the Zoning Maps.

2) Accessory Uses in this zone shall be subject to the provisions of Section 9.2

3) The maximum permitted principal building height in the CARC Zone shall be as follows unless otherwise specified on the Zoning Maps:

The maximum permitted principal building height in metres (h) at a particular point on a specific lot in the CARC Zone is calculated using the formula h= 0.6 (d) + 5.25 where "d" is the minimum perpendicular distance in metres between the particular point on the site and the front lot line of the specific lot, and "h" shall not exceed 15 metres.

This height regulation provides for a maximum height of 15 metres across the rear portion of a lot, while ensuring that the form of development will not intrude upon the existing streetscape by delimiting the maximum height across the front portion of a lot with a building envelope defined by an inclined plane. An example of the application of this building envelope is provided in the diagram below, for information purposes only.



4) The total area of the front, side and rear yards, excluding parking stalls, loading stalls and driveways, of all land uses in the CARC Zone shall be landscaped.

5) Notwithstanding the requirements of Table 1 - Dwelling Unit Regulations, no development may occur in that portion of a lot defined as being the extension of a side yard into the rear yard, which is adjacent to a street.

6) Notwithstanding Table 1, the required front yard setback for development on the same site as a House-Form Commercial/Residential building shall be the same as that of the said House-Form Commercial/Residential building, house-form building or if there is more than one house-form building on the site, the average front yard setback of same shall apply.

7) The maximum permitted floor area ratio for apartments, low-rise apartments, commercial uses and senior citizen's apartments in this zone shall be as follows:

   i) For development on the same lot as a House Form Commercial/Residential building - 3.30

   ii) Other cases - 3.10

8) Notwithstanding the definition of "Gross Floor Area", the floor area of a House-Form Commercial/Residential Building shall not be included in the calculation of gross floor area.

9) City Council may, at its discretion, permit the development of Public Amenity Space of a floor area equal to 10% of the total site area of a particular development site.

   The total amount of floor area which may be developed on the basis of this provision shall be additional to that normally permitted under the applicable Floor Area Ratio for a particular use; shall include the floor area of the Public Amenity Space itself, and may be determined by the following formula:

   P (x)

   where "P" is the floor area of the public amenity space in square metres as approved by Council and "x" is the total number of building floors developed.

   Notwithstanding Section 3 of this bylaw neither the floor area provided as Public Amenity Space, nor the floor area increase that may be developed on the basis of this Public Amenity Space provision, shall be included in the calculation of either gross floor area or site coverage.

10) Where a building is constructed with a pitched roof, the perpendicular distance between grade level and any ridge of the roof shall not exceed the maximum permitted height specified for that location at the site plus 4.6m.

4.12 TAR: TRANSITIONAL AREA RESIDENTIAL ZONE

GENERAL PURPOSE OF ZONE

The principal purpose of this zone is to recognize the predominantly residential nature of the area designated by the zone and to accommodate various types of residential uses in close proximity to the downtown. This zone is divided into low, medium, and high-rise height districts in order to allow development at various heights and densities in a controlled and compatible fashion.

The Low-Rise District has been located in the portion of this zone which contains the highest proportion of house-form buildings, and which is characterized by relatively intact streetscapes. New development in this area is to be compatible with the height, bulk, massing and siting of existing house-form buildings and will be primarily residential in use.

The Medium-Rise District is to provide primarily for medium-rise residential land use. It will provide for the retention and development of buildings of a height intermediate between house-form buildings and existing and future high-rise apartments.

The High-Rise District is to provide primarily for high-rise residential land use.

Residential accessory and service uses have been included in the zone to serve the needs of neighbourhood residents.

The development of specific types of commercial uses in house-form buildings, basically those uses which tend to be small-scale, low traffic generating and compatible with the residential area, has been accommodated in the Discretionary Use category as "House-Form Commercial Buildings." These uses have been provided for in an effort to preserve the existing house-forms which, in combination with sensitive infill development, maintain the unique and often heritage-significant streetscapes.

Accordingly, the development of future commercial use in this zone is to remain secondary to residential use. Commercial land use within the Transitional Area Residential Zone shall occur only on the basis that the proposed commercial use will be a benefit to the area and be complementary to land uses in the area.

It should be noted that, although apartment dwelling units and senior citizens' homes are permitted uses in this zone, they are restricted from being developed in the Low-Rise District by virtue of their defined height.

4.12.1 PERMITTED USES

The following are permitted uses in TAR Zones:

a) Apartment Dwelling Units
b) Approved Homes
c) Boarding Care Homes - Type 1
d) Converted Dwellings
e) Day Care Centres subject to the provisions of Section 10.4
f) Detached Dwelling Units
g) Duplex Dwelling Units
h) Dwelling units in the same building as a permitted or discretionary use in this zone
i) Fourplex Dwelling Units
j) Group Homes - Type 1 (Residential Care Home) one per sponsoring agency per district subject to the provisions of Section 10.3
k) Group Homes - Type 2 (Crisis Care Facilities) subject to the provisions of Section 10.3
l) Home Occupations subject to the provisions of Section 10.2
m) Libraries
n) Nursery Schools - Type 1
o) Public Uses subject to the provisions of Section 9.3
p) Residential Offices subject to the provisions of Section 10.1
q) Rooming Houses
r) Semi-Detached Dwelling Units
s) Senior Citizens' Apartment Dwelling Units
t) Townhouse Dwelling Units
u) Triplex Dwelling Units

4.12.2 DISCRETIONARY USES

The following are discretionary uses in TAR Zones:

a) Adult Care Homes
b) Apartment Dwelling Units - Low Rise
c) Boarding Care Homes - Type 2
d) Churches subject to the regulations of the I - Institutional Zone
e) Confectionery Stores
f) Eleemosynary Institutions
g) Group Homes - Type I (Residential Care Home) one per sponsoring agency per district, in addition to that permitted in this zone, subject to the provisions of Section 10.3
h) House-form Commercial/Residential Buildings
i) Planned Groups of Dwelling Units subject to the provisions of Section 10.5
j) Private Schools

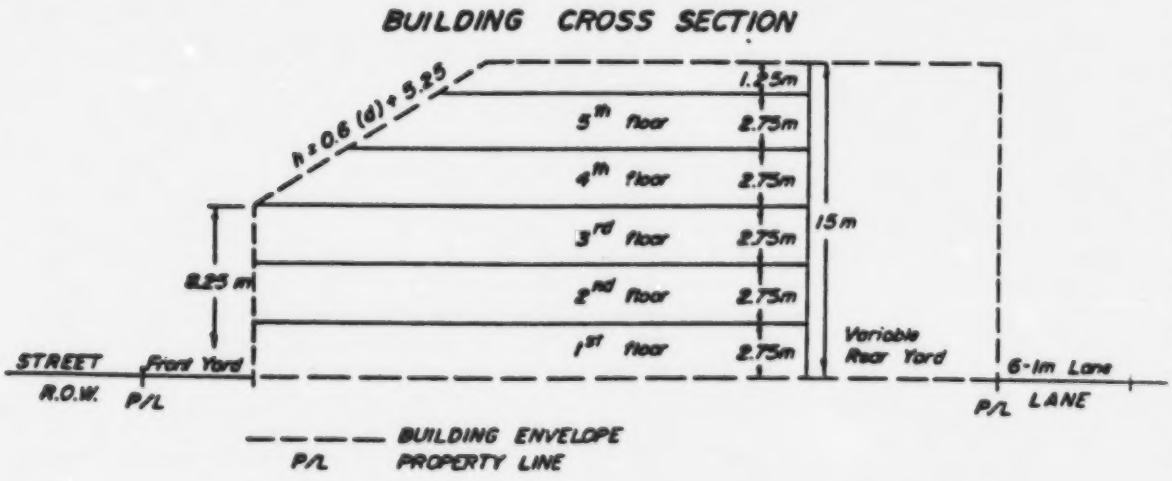
4.12.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio, and yards are shown in this Section or in Table 1, Dwelling Unit Regulations unless otherwise specified on the Zoning Maps.

2) Accessory Uses in this Zone shall be subject to the provisions of Section 9.2.

3) The maximum permitted building height in the TAR Zone shall be as follows unless otherwise specified on the Zoning Maps:

The maximum permitted principal building height in metres (h) at a particular point on a specific lot in the Low-Rise District is calculated using the formula $h = 0.6\ (d) + 5.25$ where "d" is the minimum perpendicular distance in metres between the particular point on the site and the front lot line of the specific lot, and "h" shall not exceed 15 metres. This height regulation provides for a maximum height of 15 metres across the rear portion of a lot, while ensuring that the form of development will not intrude upon the existing streetscape by delimiting the maximum height across the front portion of a lot with a building envelope defined by an inclined plane. An example of the application of this building envelope is provided in the diagram below, for information purposes only.



4) The total area of the front, side and rear yards, excluding parking stalls, loading stalls and driveways, of all land uses in the TAR zone shall be landscaped.

5) Notwithstanding Table 1, the required front setback for development on the same site as a House-Form Commercial/Residential building in the TAR zone shall be the same as that of the House-Form Commercial/Residential building or, if there is more than one house-form building on the site, the average front yard setback of same shall apply.

6) The maximum permitted floor area ratio for apartments, low rise apartments, and senior citizen apartments in this zone shall be as follows:

   a) TAR zone (for areas other than in height zones noted in subsections b) and c) of this section.)

      i) For development on the same lot as a House-Form Commercial/Residential building - 3.30
      ii) Other cases - 3.10

   b) TAR H15 district - 3.50

   c) TAR H30 district - 7.50

7) Notwithstanding the definition of "Gross Floor Area", the floor area of a House-Form Commercial/Residential Building shall not be included in the calculation of gross floor area.

8) City Council may, at its discretion, permit the development of Public Amenity Space of a floor area equal to 10% of the total site area of a particular development site.

   The total amount of floor area which may be developed on the basis of this provision shall be additional to that normally permitted under the applicable Floor Area Ratio for a particular use; shall include the floor area of the Public Amenity Space itself, and may be determined by the following formula:

   P (x)

   where "P" is the floor area of the public amenity space in square metres as approved by Council and "x" is the total number of building floors developed.

   Notwithstanding Section 3 of this bylaw neither the floor area provided as Public Amenity Space, nor the floor area increase that may be developed on the basis of this Public Amenity Space provision, shall be included in the calculation of either gross floor area or site coverage.

9) Where a building is constructed with a pitched roof, the perpendicular distance between grade level and any ridge of the roof shall not exceed the maximum permitted height specified for that location on the site plus 4.6m.

SECTION 5

COMMERCIAL USE ZONES

5.1 CR: COMMERCIAL/RESIDENTIAL INTERFACE ZONE

GENERAL PURPOSE OF ZONE

The general purpose of this zone is to accommodate the development of low density, low traffic generating commercial, multiple unit residential and small scale retail/residential service uses in mixed-use buildings on minor arterials and collector streets adjacent to residential areas.

This zone is intended to be used as a transition or buffer between high traffic generating commercial zones and residential neighbourhoods and shall be applied in a manner which will encourage the stability and viability of these neighbourhoods.

5.1.1 PERMITTED USES

The following are permitted uses in CR Zones:

a) Apartment Dwelling Units - Low Rise
b) Art Galleries
c) Day Care Centres subject to the provisions of Section 10.4
d) Group Homes - Type 1 (Residential Care Home) one per sponsoring agency per district subject to the provisions of Section 10.3
e) Group Homes - Type 2 (Crisis Care Facilities) subject to the provisions of Section 10.3
f) Libraries
g) Offices of 500 square metres or less in gross floor area on a single lot
h) Senior Citizens' Apartment Dwelling Units
i) Public Uses subject to the provisions of Section 9.3

5.1.2 DISCRETIONARY USES

The following are discretionary uses in CR Zones:

a) Detached Dwelling Units
b) Eleemosynary Institutions
c) Group Home - Type 1 (Residential Care Home) one per sponsoring agency, in addition to that permitted in this zone, subject to the provisions of Section 10.3
d) Mixed-Use Buildings
e) Nursery Schools - Type 1
f) Offices of more than 500 square metres in gross floor area on a single lot
g) Personal Service Establishments in buildings of 200 square metres or less in gross floor area
h) Repair Shops
i) Retail uses of 200 square metres or less in gross floor area on a single lot
j) Trade Union Halls

5.1.3 REGULATIONS

1) The minimum front yard shall be completely landscaped. However, driveways leading to parking areas located in the side or rear yards shall be permitted to cross the minimum front yard but they shall be no larger than a maximum 7.5m in width.

2) No parking stalls shall be permitted to locate in a front yard.

3) Where a CR zoned lot faces (includes flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence shall be erected and maintained along the interfacing property line by the property owner.

4) The regulations respecting lot size, frontage, coverage, floor area ratio, building height and yards are shown on Table 2 - Commercial Zone Regulations, unless otherwise specified on the Zoning Maps.

5.2 D: DOWNTOWN ZONE

General Purpose of Zone

Downtown contains the greatest concentration of buildings as well as the greatest concentration of people working, shopping and visiting in the City. The purpose of the zone with its listed uses, regulations, development standards and design guidelines and policies, is to:

- ensure that downtown is an attractive place in which to work, shop, visit and live;
- ensure that new developments contribute to the downtown environment as a place for people; and,
- to provide a flexible framework for the preparation of development proposals.

5.2.1 PERMITTED USES

The following are permitted uses in the D zone, provided that the use has:

i) a floor area ratio (f.a.r.) of less than 2; and,
ii) a height of less than 12 metres.

a) Amusement Arcades
b) Apartment Dwelling Units
c) Apartment Dwelling Units - Low Rise
d) Apartment Hotels
e) Art Galleries or Museums
f) Auctioneering Establishments
g) Bakery Shops
h) Banks and other Financial Institutions
i) Bowling Alleys
j) Bus Terminals
k) Business, Commercial or Technical Schools
l) Churches
m) Commercial Clubs
n) Community Colleges
o) Confectionery Stores
p) Convenience Stores
q) Day Care Centres subject to the provisions of Section 10.4
r) Dwelling units in the same building as a permitted or discretionary use
s) Eleemosynary Institutions
t) Fast Food Outlets
u) Gas Bars
v) Grocery Stores
w) Hotels
x) Libraries

y) Licensed Beverage Rooms
z) Licensed Cocktail Rooms
aa) Licensed Dining Rooms
bb) Licensed Restaurants
cc) Liquor Stores
dd) Medical or Dental Laboratories
ee) Night Clubs
ff) Nursery Schools - Type I
gg) Offices
hh) Off-Site caveated parking
ii) Paved Parking Lot
jj) Personal Service Establishments
kk) Pool Halls
ll) Post Offices
mm) Printing and Photostating Establishments
nn) Private Clubs
oo) Private Schools
pp) Public Uses subject to the provisions of Section 9.3
qq) Recreational Schools
rr) Repair Shops
ss) Restaurants
tt) Retail Stores
uu) Rooming Houses
vv) Service Stations
ww) Senior Citizens' Apartment Dwelling Units
xx) Shopping Centres containing uses that are permitted or discretionary in this zone
yy) Theatres
zz) Trade Union Halls
aaa) Vehicular Sales and Rentals

5.2.2 DISCRETIONARY USES

The following are discretionary uses in the D Zone:

a) Bingo Halls
b) All uses listed in the permitted category of this zone where they exceed the floor area ratio and/or height limits specified for permitted uses in this zone."

All applications for discretionary use shall be submitted to the Development Officer for consideration and report to the Regina Planning Commission, who shall make a recommendation to the City Council.

A permit may be issued, at the discretion of City Council for a discretionary use or any combination thereof if:

i) there is compliance with the regulations and special regulations of this zone; and,

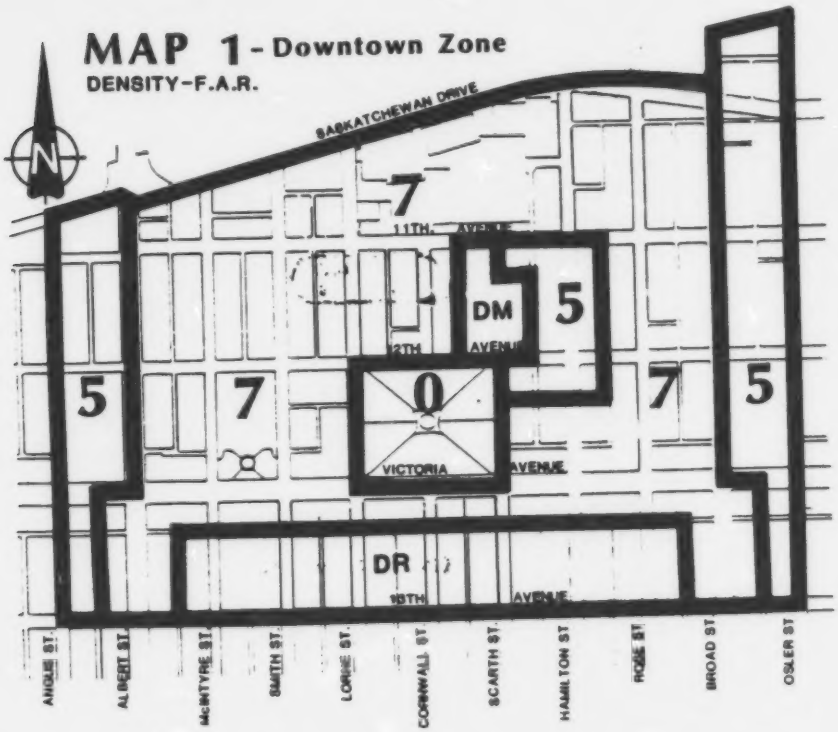
ii) specific development standards have been established to the extent deemed necessary to achieve the objectives of the general development standards of this zone; and,

iii) it has been demonstrated that the intent of the design guidelines of this zone have been carefully considered.

5.2.3 REGULATIONS

1) Floor Area Ratio

The maximum permitted floor area ratio (f.a.r.) shall be as specified on Map 1 - Downtown Zone.



For the purposes of calculating floor area ratio in this zone, the following shall apply:

a) Notwithstanding the definition of Gross Floor Area, as set out in Section 3 of this bylaw, all areas used for parking are those contained within the exterior faces of the exterior walls of the building, and above grade, shall be included in the floor area ratio.

b) All floor area below grade or where the floor level is below grade for at least 50% of its floor to ceiling height, shall be excluded from the floor area ratio.

c) In the retail area, as defined on Map 3 - Downtown Zone, floor area used or intended to be used for retail purposes, at the ground or second floor levels shall not be included in the calculation of the floor area ratio. Second floor retail area shall have direct and separate access to the street, to ground floor retail premises and/or to a plus-fifteen pedway system.

d) Where a landscaped open area is provided contiguous with and adjacent to the public sidewalk, and, which is accessible to, and intended for the enjoyment of the general public, then the maximum permitted floor area (f.a.r.) may be increased at the rate of 5 square metres of floor area for every square metre of landscaped open area. In all parts of the zone, except the retail area as shown on Map 3 - Downtown Zone, such open area may be open to the sky or roofed over in the form of an atrium or a galleria for at least the full height of the ground floor. In the retail area this floor area bonus shall not apply to landscaped open area which is open to the sky. This bonus shall not be used for access ways, lobbies and other such spaces which are essential to the normal functions of the building.

e) Where a building is proposed on the same property as an existing building which has been identified as potential heritage, and that existing building forms an integral part of the overall development scheme for the property, then the floor area of such existing building shall not be included in the calculation of the floor area ratio.

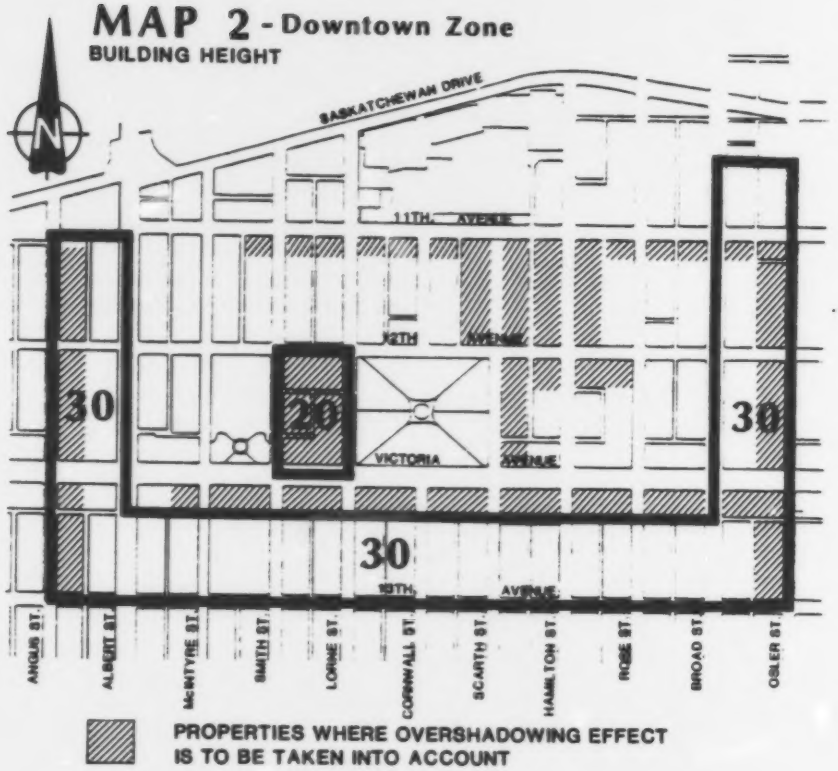
f) In the area shown as DR (Downtown Residential) on Map 1 - Downtown Zone, for a building containing commercial uses only the maximum floor area ratio shall be 2.0, provided always that the commercial floor area ratio may be increased, for a mixed use development, at the rate of 1 square metre of commercial floor area for each 1 square metre of residential floor area, and provided further that the maximum permitted floor area shall not exceed 6.0, except as provided for above. In the area shown as DR, hotels shall be taken as residential uses, for which the maximum permitted floor area ratio of 6.0 shall apply.

g) In the area shown as DM (Downtown Mixed-Use) on Map 1 - Downtown Zone, the maximum floor area ratio shall not be restricted provided that development in this area contributes to the general amenity and public enjoyment of the Scarth Street Pedestrian Mall in a manner acceptable to City Council.

2. <u>Building Height</u>

The maximum building height shall not be restricted except as specified on Map 2 - Downtown Zone and subject to such conditions as City Council may prescribe based upon the development standards specified in this zone.

Where pedestrian level wind and/or sun/shadow conditions are indicated such that they would adversely affect the general amenity of the area or the welfare of citizens on the surrounding streets, City Council may at its discretion, require modifications to the development and/or establish the maximum building height in order to ameliorate such adverse conditions.

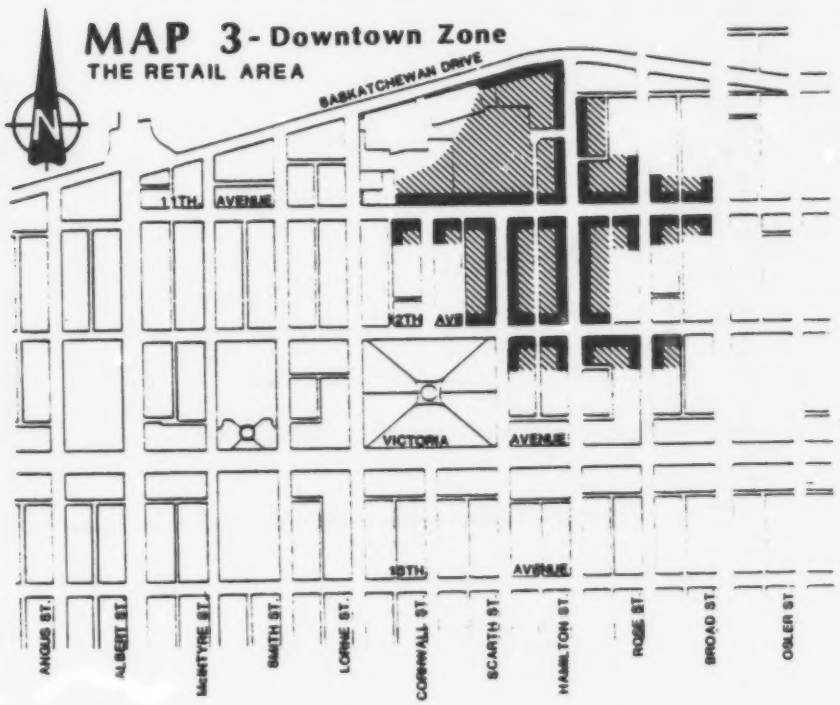


3) Change of Use in Existing Buildings

The development officer shall issue a permit for any change of use to a use permitted in this zone that will be entirely contained within any existing building, provided only that, such change of use will not result in a reduction of existing parking and/or loading facilities associated with the existing building.

4) Retail Use in the Retail Area

Within the retail area as shown on Map 3 - Downtown Zone, 65% of the area of the ground floor and 75% of the street frontage and in the case of a corner site the flankage, shall be designed and developed for retail uses, provided always that, at the discretion of City Council the above retail requirement may be reduced. In reaching a decision, the Council will be guided Design Guidelines for the Retail Area as set out in this zone.



5) Yards and Setbacks

No front, side or rear yard shall be required except for those properties which have frontage on Victoria Avenue where a 5 metre landscaped setback from the Victoria Avenue property line shall be provided.

6) Parking and Loading Facilities

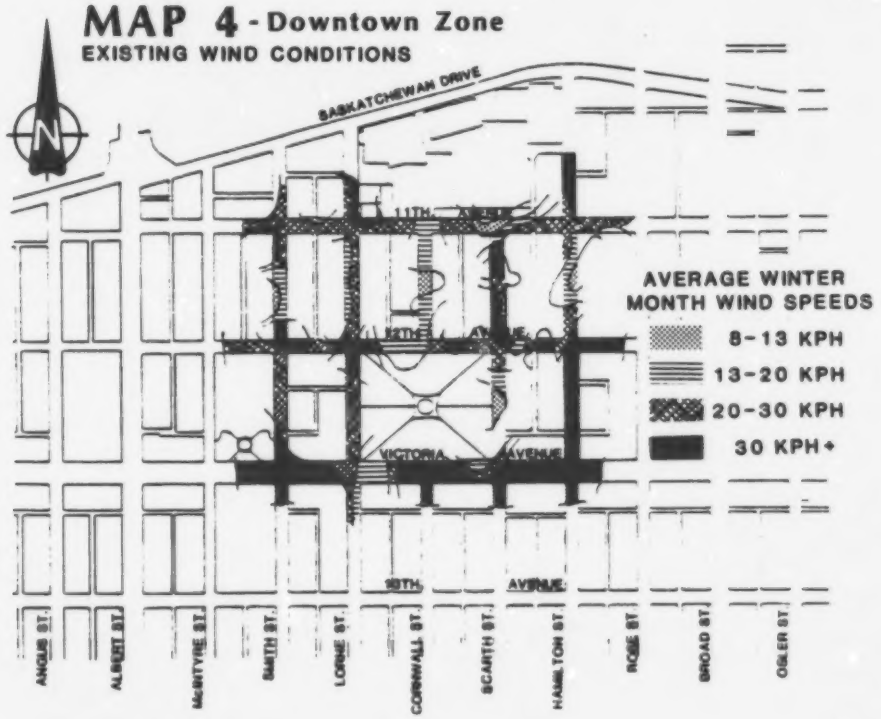
Parking and loading facilities shall be provided in accordance with the provisions of Section 9.18 and 9.19 of this bylaw; except as provided for in this zone.

5.2.4 DEVELOPMENT STANDARDS

The following standards provide the basis for ensuring that pedestrian level conditions will not be adversely affected by new developments. However, since the climatic factors to which they relate are variable and subjective, absolute compliance with a measured standard is neither required nor possible. Every effort should be made to meet the standards described, and City Council may require development modifications in order to ameliorate unacceptable conditions.

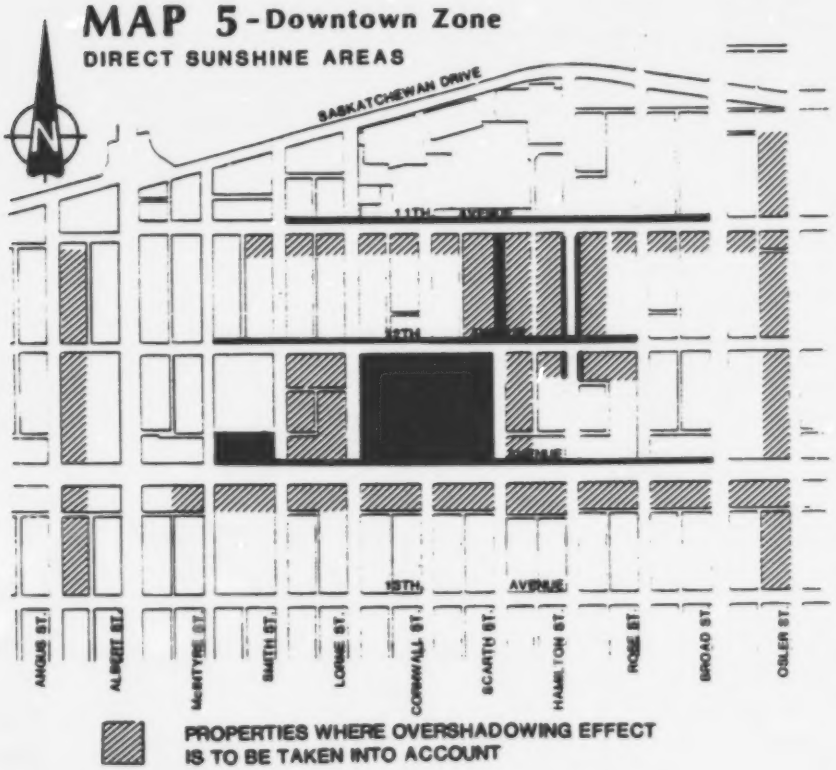
1) All proposed developments in which any part of the building will be in excess of 20 metres in height shall be subject to a simulated wind study as defined and described in the policies of the Regina Development Plan - Part G, Downtown Plan.

Map 4 - Downtown Zone illustrates the average pedestrian level wind conditions prevailing as of the coming into effect of this bylaw and assuming that all developments for which approval and preliminary approval have been granted at that time are completed.



2) In considering a development or use in this zone, City Council shall take into account the degree to which existing pedestrian level wind conditions are affected and the degree to which optimum wind conditions will be achieved when the development is completed. Unacceptable wind conditions should be ameliorated to the greatest possible extent.

3) Map 5 - Downtown Zone illustrates those areas within the downtown, generally parks and other open spaces and street sidewalks, where pedestrian traffic is an important consideration, and, where direct sunshine is of critical importance. Reference should also be made to Design Guidelines in this zone.



4) In considering a development or use in this Zone, City Council shall take into account the degree to which the proposed development will reduce the amount of direct sunshine on the areas identified above, with a view towards maximizing the availability of direct sunshine on such areas.

5.2.5 DESIGN GUIDELINES

The following guidelines provide a qualitative basis for design interpretation, both on the part of those preparing development proposals and those charged with review and approval procedures. While full and complete compliance with each relevant guideline is a desirable objective, this may not be possible. Every effort should be made to fulfill the spirit and intent of each guideline.

1) Retail Uses in the Retail Area

a) In the retail area, maximize retail, restaurant and entertainment uses on the ground floors; and,

b) Restrict the street frontage of entrance lobbies for non-retail uses on upper floors; and,

c) Ensure that there is a continuity of shop windows along the street facade for the display of goods for sale or items of interest to passing pedestrians.

d) Encourage the provision of weather protection for pedestrians in the retail area and at or close to important Transit locations in the form of awnings, canopies and arcaded areas.

e) In the retail shopping area, encourage building facades at street level to be built at the property line; and,

f) Encourage the provision of transparent facades at street level with well-lit windows. Avoid unlit blank walls.

g) Encourage the provision of bright and colourful signage in pedestrian areas and particularly canopies and canopy signs with lighting underneath.

2) Streets and Parking

a) Restrict access to parking lots or parkades in the retail area in order to reduce pedestrian/vehicular conflicts on the sidewalks.

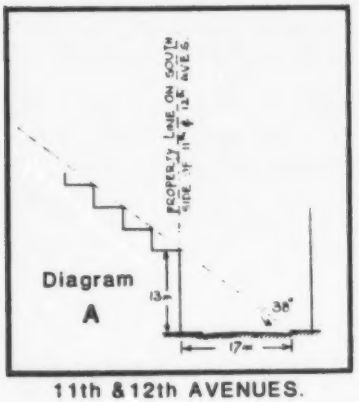
b) Ensure that Victoria Avenue is an attractive ceremonial street and restrict or do not permit parking lots or parkades to front onto it; and,

c) Restrict or do not permit access to parking lots or parkades along Broad and Albert Streets, in order to ensure unimpeded transit and traffic flow.

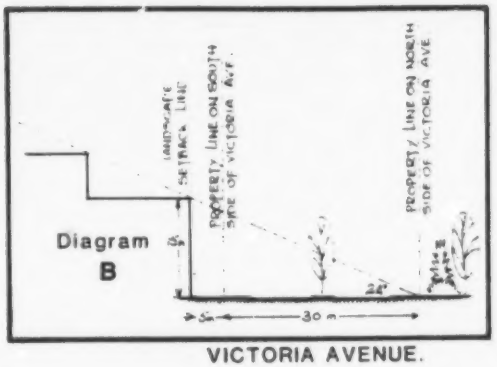
3) Building Height and Sunlight Penetration

a) Restrict the degree to which tall buildings will cast shadows on the north sidewalks of 11th and 12th Avenues, during the months between March 21 and September 21 and between 12 noon and 2:00 p.m. All new developments should be setback in accordance with Diagram A of this zone.

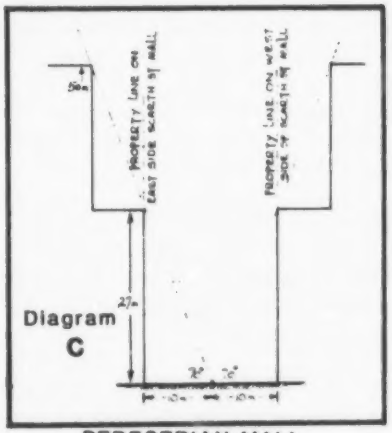
b) Restrict the degree to which tall buildings will cast shadows on the north property line of Victoria Avenue between Cornwall and Albert Streets between November 10 and January 30 and between 12 noon and 2:00 p.m. All new development should be set back in accordance with Diagram B of this zone.



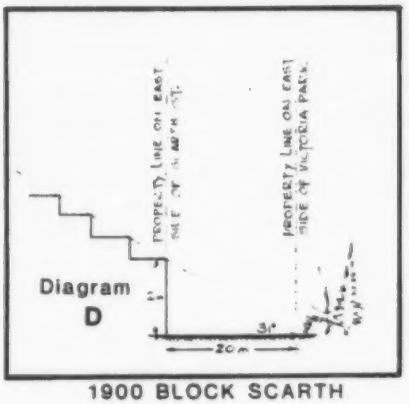
11th & 12th AVENUES.



VICTORIA AVENUE.



PEDESTRIAN MALL.



1900 BLOCK SCARTH

c) Ensure that at least half of the Scarth Street Mall is in direct sunshine, during the months between March 21 and September 21 and between 12 noon and 2:00 p.m. All new developments should be setback in accordance with Diagram C of this zone.

d) Restrict the degree to which tall buildings will cast shadows on the east boundary of Victoria Park in the 1900 block Scarth Street during the months between March 21 and September 21 and after 10:00 a.m. All new developments should be setback in accordance with Diagram D of this zone.

e) Encourage the development of low-rise buildings on the block bounded by 12th and Victoria Avenues and Smith and Lorne Streets in order to:

i) extend the hours of sunlight penetration into both Victoria Park and Queen Elizabeth Plaza;

ii) ensure that the melodic sound of the Darke bells on the Knox Metropolitan Church can be heard over as wide an area as possible; and,

iii) preserve the visual dominance of the bell tower.

f) Provide a height transition between the tall buildings of the downtown and the low-rise buildings of adjacent neighbourhoods.

g) Tall buildings at the east and west edges of downtown should be constructed in such a manner as to ensure adequate daylight and sunlight into adjacent neighbourhoods, in the morning hours in the case of Angus Street and the afternoon hours in the case of Osler Street.

h) Encourage variety and interesting features at the roof levels of tall buildings.

i) Consider the appearance of the flat roofs on low buildings and encourage measures that will make them more attractive. Consider opportunities for recreational and other uses on large areas of low flat roofs.

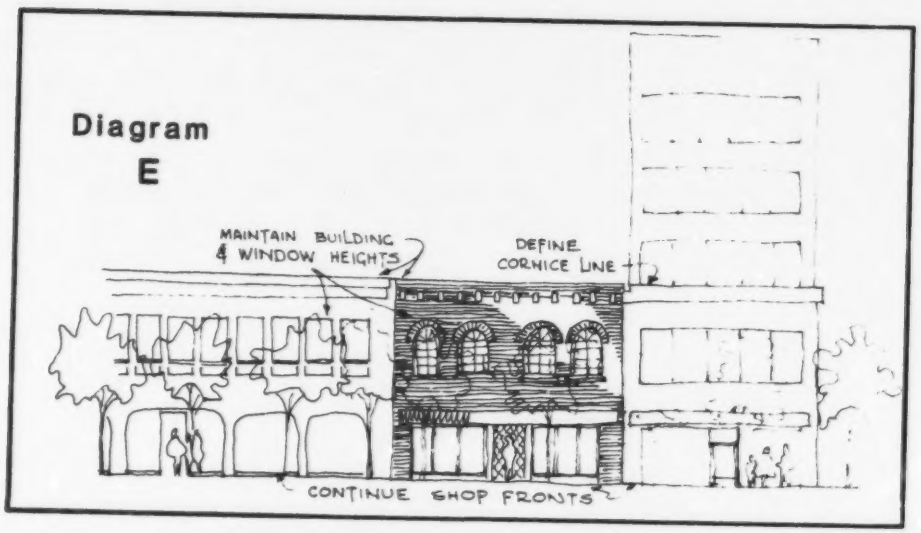
j) where tall buildings are proposed encourage substantial setbacks at second or third floor levels in order to avoid the street canyon effect.

4) Relationship to Adjacent Buildings

a) Encourage the retention of older buildings and particularly those that reflect the character of the immediate environment.

b) Where new development is proposed adjacent to older buildings and particularly those that display a design quality appropriate to the area, maintain a continuity of and respect for important features such as rooflines, cornices, window heights, etc. in the new development. (see Diagram E.)

c) Where tall buildings are introduced into an area with predominately smaller buildings, provide a major break in the facade treatment to reflect predominant roof levels.



5) Building Materials and Landscaping

a) Discourage the use of smooth mirror-like finish materials on new buildings and particularly on the south facing walls of tall buildings.

b) Encourage the use of warm toned brickwork and other textured materials, particularly for surface areas on the lower floors of new buildings and building renovations.

c) Ensure that there is a setback along common property lines at the 2nd or 3rd floor levels in order to avoid tall, blank sidewalls.

d) Preserve and protect existing mature trees and make every effort to ensure their retention when new development occurs.

e) Where landscape areas or setbacks are proposed with new developments provide sufficient space for the planting of trees that can grow to a substantial size, and avoid low profile, high maintenance landscaping.

6) Lighting and Signage

a) Throughout downtown, encourage special pedestrian level lighting on new and existing buildings where extensive blank walls are provided or necessary at street level.

b) Encourage flood lighting on important government and institutional buildings and on important landscape features

5.3 DSC: DESIGNED SHOPPING CENTRE ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to regulate major shopping centre facilities consisting of a group of commercial establishments conceived, designed, developed, or managed as a unit with adjacent major parking facilities.

5.3.1 PERMITTED USES

The following are permitted uses in DSC Zones:

a) Bakery Shops
b) Banks or other Financial Institutions
c) Bowling Alleys
d) Business, Commercial or Technical Schools
e) Car Washes
f) Commercial Clubs
g) Confectionery Stores
h) Convenience Stores
i) Day Care Centres subject to the provisions of Section 10.4
j) Gas Bars
k) Grocery Stores
l) Home Improvement Centres
m) Libraries
n) Licensed Cocktail Rooms
o) Licensed Dining Rooms
p) Licensed Restaurants
q) Liquor Stores
r) Nightclubs
s) Offices
t) Personal Service Establishments
u) Printing or Photostating Establishments
v) Public Uses subject to the provisions of Section 9.3
w) Recreational Schools
x) Repair Shops
y) Restaurants
z) Retail Stores
aa) Service Stations
bb) Shopping Centres containing uses that are permitted or discretionary in this zone
cc) Theatres
dd) Vehicular Sales or Rentals

5.3.2 DISCRETIONARY USES

The following are discretionary uses in DSC Zones:

a) Amusement Arcades
b) Animal Hospitals
c) Bingo Halls

d) Off-site Caveated Parking
e) Pool Halls

5.3.3 REGULATIONS

1) The regulations respecting lot area, frontage, coverage, floor area ratio, building height and yards are as shown on Table 2, Commercial Zone Regulations, unless otherwise specified on the Zoning Maps.

2) Where a DSC zoned lot faces (includes flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence shall be erected and maintained along the interfacing property line by the property owner.

5.4 HC: HIGHWAY COMMERCIAL ZONE

GENERAL PURPOSE OF ZONE

The purpose of this Zone is to provide sufficient land adjacent to major routes entering the City for uses serving the travelling public or for uses requiring a high level of accessibility and substantial parking facilities. The access to highway commercial sites should not prejudice the standard of safety, convenience and speed appropriate to the highway. All development shall be of a high standard befitting the major entrances into the City.

5.4.1 PERMITTED USES

The following are permitted uses in HC Zones:

a) Animal Hospitals
b) Animal Shelters
c) Banks or other Financial Institutions
d) Car Washes
e) Display and sales of Prefabricated or Prepackaged Homes
f) Drive-in Restaurants
g) Fast Food Outlets
h) Gas Bars
i) Hotels
j) Licensed Beverage Rooms
k) Licensed Cocktail Rooms
l) Licensed Dining Rooms
m) Licensed Restaurants
n) Mobile Home, Trailer, Recreational Vehicle Sales, Rentals, Service or Repairs
o) Public Uses subject to the provisions of Section 9.3
p) Restaurants
q) Service Stations
r) Vehicular Sales, Service, or Rentals

5.4.2 DISCRETIONARY USES

The following are discretionary uses in HC Zones:

a) Churches
b) Commercial Amusement Parks
c) Confectionary Stores
d) Convenience Stores
e) Drive-in Theatres
f) Enclosed Rinks
g) Farm Implement, Large Equipment or Machinery Sales or Rental
h) Home Improvement Centres
i) Liquor Stores
j) Nightclubs

5.4.3 REGULATIONS

1) The regulations respecting lot area, frontage, coverage, floor area ratio, building height and yards are shown on Table 2, Commercial Zone Regulations, unless otherwise specified on the Zoning Maps.

2) Where an HC zoned lot faces (includes flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence shall be erected and maintained along the interfacing property line by the property owner.

5.5 HS: HIGHWAY SERVICE ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to allow for development of low traffic generating commercial uses for the Victoria Avenue East Area including highway oriented uses for the travelling public.

5.5.1 PERMITTED USES

The following are permitted uses in HS zones:

a) Display and Sale of Prefabricated or Prepackaged Homes
b) Gas Bars
c) Hotels
d) Licensed Beverage Rooms
e) Licensed Dining Rooms
f) Licensed Restaurants
g) Mobile Home, Trailer, Recreational Vehicle Sales, Rentals, Service or Repairs
h) Public Uses subject to the provisions of Section 9.3
i) Restaurants
j) Service Stations
k) Vehicular Sales, Service, or Rentals

5.5.2 DISCRETIONARY USES

The following are discretionary uses in HS zones:

a) Animal Hospitals
b) Drive-In Theatres
c) Farm Implement, Large Equipment or Machinery Sales or Rentals
d) Home Improvement Centres
e) Medical, Dental or research-oriented Laboratories
f) Offices

5.5.3 REGULATIONS

1) The regulations respecting lot area, frontage, coverage, floor area ratio, building height and yards are as shown on Table 2, Commercial Zone Regulations, unless otherwise specified on Zoning Maps.

2) Where an HS zoned lot faces (includes frontage, flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence shall be erected and maintained along the interfacing property line by the property owner.

5.6 ICC: INNER CITY COMMERCIAL ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to provide an opportunity for low-rise, prestige office development. This zone has been applied to areas which are presently occupied predominantly by commercial uses in office buildings in order to recognize the existing uses, as well as to accommodate infill development.

Provision has been made for both commercial and non-commercial residential service uses which are compatible with the other uses of this zone and the adjacent residential areas. Buildings in this zone shall be compatible with the form of adjacent residential development.

5.6.1 PERMITTED USES

The following are permitted uses in ICC Zones:

a) Art Galleries
b) Banks or Financial Institutions
c) Day Care Centres subject to the provisions of Section 10.4
d) Eleemosynary Institutions
e) Offices
f) Public Uses subject to the provisions of Section 9.3

5.6.2 DISCRETIONARY USES

The following are discretionary uses in ICC Zones:

a) Business or Commercial Schools
b) Confectionery Stores
c) Dwelling units in the same building as a permitted or discretionary use in this zone
d) Licensed Dining Rooms
e) Licensed Restaurants
f) Nursery Schools - Type 1
g) Restaurants

5.6.3 REGULATIONS

1) The regulations respecting lot area, frontage, coverage, floor area ratio, height and yards are as shown on Table 2, Commercial Zone Regulations, unless otherwise specified on the Zoning Maps.

2) Where an ICC zoned lot faces (includes flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence shall be erected and maintained along the interfacing property line by the property owner.

5.7 LC1: LOCAL COMMERCIAL ZONE

GENERAL PURPOSE OF ZONE

The LC1 zone is a commercial zone providing service to local neighbourhoods. This zone is restricted to locations on minor arterial and collector streets and is situated in such a way as to minimize the environmental impacts of those businesses on adjacent residential areas.

5.7.1 PERMITTED USES

The following are permitted uses in LC1 zones:

a) Animal Hospitals
b) Bakery Shops
c) Banks or Other Financial Institutions
d) Churches
e) Confectionery Stores
f) Day Care Centres subject to the provisions of Section 10.4
g) Libraries
h) Offices of 200m^2 or less in gross floor area on a single lot
i) Personal Service Establishments of 200m^2 or less in gross floor area
j) Private Clubs
k) Public Uses subject to the provisions of Section 9.3
l) Repair Shops of 200m^2 or less in gross floor area
m) Retail Stores of 300m^2 or less in gross floor area on a single lot

5.7.2 DISCRETIONARY USES

The following are discretionary uses in LC1 zones:

a) Commercial Clubs
b) Community Centres
c) Convenience Stores
d) Detached Dwelling Units
e) Dwelling Units in the same building as a permitted or discretionary use in this zone
f) Fast Food Outlets
g) Gas Bars
h) Grocery Stores
i) Licensed Cocktail Rooms
j) Licensed Dining Rooms with a maximum seating capacity of 100 persons
k) Licensed Restaurants with a maximum seating capacity of 100 persons
l) Liquor Stores
m) Nursery Schools - Type 1
n) Offices of greater than 200m in gross floor area on a single lot
o) Restaurants with a maximum seating capacity of 100 persons

p) Retail Stores of greater than 300m^2 in gross floor area on a single lot
q) Service Stations with a maximum of 3 service bays
r) Shopping Centres containing uses that are permitted or discretionary in this zone

5.7.3 REGULATIONS

1) The regulations respecting lot area, frontage, coverage, floor area ratio, building height and yards are as shown on Table 2, Commercial Zone Regulations, unless otherwise specified on the Zoning Maps.

2) In LC1 zones, no portion of an eating or drinking establishment shall be located outside of a building.

3) Where more than one liquor licenced use is combined in a single establishment, the maximum capacity shall not exceed 100 persons.

4) In LC1 zones a car wash or vehicular sales establishment shall not be considered an accessory use to a gas bar or service station.

5) Where an LC1 zoned lot faces (includes flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence shall be erected and maintained along the interfacing property line by the property owner.

5.8 LC2: LOCAL COMMERCIAL ZONE

GENERAL PURPOSE OF ZONE

The LC2 zone is a commercial zone located on minor arterial and collector streets providing service to local neighbourhoods. This zone is intended to be applied when property is being initially rezoned from a peripheral agricultural or Urban Holding (UH) use to an urban use after January 16, 1984. A greater number of permitted uses are provided under LC2 than under LC1 zoning including some with significant environmental impacts. Hence, LC2 is used only where potential land use conflicts can be prevented at the initial design stage.

5.8.1 PERMITTED USES

The following are permitted uses in LC2 zones:

a) Animal Hospitals
b) Bakery Shops
c) Banks and other Financial Institutions
d) Churches
e) Confectionery Stores
f) Convenience Stores
g) Day Care Centres subject to the provisions of Section 10.4
h) Gas Bars
i) Libraries
j) Offices of 200m^2 or less in gross floor area on a single lot
k) Personal Service Establishments of 200m^2 or less in gross floor area
l) Private Clubs
m) Public Uses subject to the provisions of Section 9.3
n) Repair Shops of 200m^2 or less in gross floor area
o) Restaurants with a maximum seating capacity of 100 persons
p) Retail Stores of 300m^2 or less in gross floor area on a single lot
q) Service Stations with a maximum of 3 service bays

5.8.2 DISCRETIONARY USES

The following are discretionary uses in LC2 zones:

a) Commercial Clubs
b) Community Centres
c) Dwelling Units in the same building as a permitted or discretionary use in this zone
d) Fast Food Outlets
e) Grocery Stores
f) Licensed Cocktail Rooms
g) Licensed Dining rooms with a maximum seating capacity of 100 persons

h) Licensed Restaurants with a maximum seating capacity of 100 persons
i) Liquor Stores
j) Nursery Schools - Type 1
k) Offices of more than $200m^2$ in gross floor area on a single lot
l) Shopping Centres containing uses that are permitted or discretionary in this zone

5.8.3 REGULATIONS

1) The regulations respecting lot size frontage, coverage, floor area ratio, building height and yards are as shown on Table 2, Commercial Zone regulations, unless otherwise specified on the Zoning Maps.

2) In LC2 zones, no portion of an eating or drinking establishment shall be located outside of a building.

3) Where more than one liquor licensed use is combined in a single establishment, the maximum capacity shall not exceed 100 persons.

4) In LC2 zones, a car wash or motor vehicle lot shall not be considered an accessory use to a gas bar or service station.

5) Where an LC2 zoned lot faces (including flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence shall be erected and maintained along the interfacing property line by the property line by the property owner.

5.9 LC3: LOCAL COMMERCIAL SHOPPING STREET ZONE

GENERAL PURPOSE OF ZONE

The purpose of the LC3 zone is to recognize the development characteristics of older neighbourhood commercial shopping streets and to allow for infill development which relates to the existing buildings and shopping environment.

5.9.1 PERMITTED USES

The following are permitted uses in LC3 zones:

a) Bakery Shops
b) Banks or Other Financial Institutions
c) Churches
d) Dwelling units in the same building as a permitted or discretionary use in this zone
e) Libraries
f) Offices of 150m^2 or less in gross floor area
g) Personal Service Establishments of 150m^2 or less in gross floor area
h) Public Uses subject to the provisions of Section 9.3
i) Repair Shops of 150m^2 or less in gross floor area
j) Retail Stores of 150m^2 or less in gross floor area

5.9.2 DISCRETIONARY USES

The following are discretionary uses in LC3 zones:

a) Community Centres
b) Confectionery Stores
c) Day Care Centres subject to provisions of Section 10.4
d) Fast Food Outlets
e) Grocery Stores
f) Licensed dining rooms with a maximum seating capacity of 50 persons
g) Licensed Restaurants with a maximum seating capacity of 50 persons
h) Nursery Schools - Type 1
i) Offices of more than 150m^2 in gross floor area but less than 300m^2
j) Restaurants with a maximum seating capacity of 50 persons
k) Retail stores of more than 150m^2 in gross floor area but less than 300m^2
l) Repair Shops of more than 150m^2 in gross floor area but less than 300m^2
m) Shopping Centres containing uses permitted or discretionary in this zone

5.9.3 REGULATIONS

1) The regulations respecting lot area, frontage, coverage, floor area ratio, building height and yards are as shown on Table 2, Commercial Zone Regulations, unless otherwise specified on the Zoning Maps.

2) The maximum building setback from any street line shall be 2.0m except in the case of a corner property which abuts a residential zone in which case the provisions of Section 10.2 of this Bylaw shall apply. Section 5.9.3 (2) shall not apply to Parcel A, Block 400, Plan 60R05332, Regina Subdivision.

3) Parking shall not be permitted in the front yard of any LC3 zoned property, with the exception of Parcel A, Block 400, Plan 60R5332, Regina Subdivision.

4) Where more than one liquor licensed use is combined in a single establishment, the maximum capacity shall not exceed 50 persons.

5) Where an LC3 zoned lot faces (includes flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence shall be erected and maintained along the interfacing property line by the property owner.

5.10 MAC1, MAC2: MAJOR ARTERIAL COMMERCIAL ZONES

GENERAL PURPOSE OF ZONE

The purpose of these zones is to regulate commercial development along major arterials. Major arterials shall be limited for the application of this zoning to the following streets or portions thereof:

1) Albert Street (excluding the area between College and 25th Avenues)
2) Broad Street (College Avenue to 3rd Avenue North excepting the west side of the 2200 and 2300 Blocks)
3) Dewdney Avenue (Garnet Street to Smith Street)
4) Park Street (north of 13th Avenue)
5) Saskatchewan Drive (excepting the north side west of Broad Street and excluding area west of Elphinstone Street)
6) Victoria Avenue (east of Winnipeg Street to Ring Road)
7) Winnipeg Street (between of Victoria Avenue and the Ring Road excepting the west side of the 100 Block and 200 Block North and excepting the east side between 8th Avenue and Ross Avenue)

Uses allowed in these zones shall include a variety of office uses and retail uses of a limited size which serve both the travelling public and the residents of the city at large, but which do not conflict with the role and function of the downtown area.

5.10.1 PERMITTED USES

The following uses are permitted in MAC Zones:

a) Ambulance Service Establishments
b) Animal Hosptials
c) Bakery Shops
d) Banks or other Financial Institutions
e) Churches
f) Confectionery Stores
g) Convenience Stores
h) Drive-in restaurants
i) Fast Food Outlets
j) Fire Stations
k) Gas Bars
l) Grocery Stores
m) Group Homes - Type 2 (Crisis Care Facilities) subject to the provisions of Section 10.3
n) Hotels
o) Libraries
p) Licensed Beverage Rooms
q) Licensed Cocktail Rooms
r) Licensed Dining Rooms
s) Licensed Restaurants
t) Liquor Stores
u) Medical or Dental Laboratories

v) Mobile Home, Trailer, Recreational Vehicle, Sale, Rental, Service or Repairs
w) Offices of 500 square metres or less in gross floor area on a single lot
x) Personal Service Establishments
y) Police Stations
z) Post Offices
aa) Public Uses subject to the provisions of Section 9.3
bb) Recreational Schools
cc) Restaurants
dd) Retail Uses 1,000 square metres or less in gross floor area on a single lot
ee) Repair Shops
ff) Service Stations
gg) Vehicular Sales, Rentals, or Servicing

5.10.2 DISCRETIONARY USES

The following are discretionary uses in MAC Zones:

a) Amusement Arcades
b) Apartment Dwelling Units
c) Apartment Dwelling Units - Low Rise
d) Bingo Halls
e) Bowling Alleys
f) Car Washes
g) Commercial Amusement Parks
h) Commercial Clubs
i) Detached Dwelling Units
j) Dwelling units in the same building as a permitted or discretionary use in this zone.
k) Funeral Homes
l) Home Improvement Centres
m) Mobile Snack Dispensaries
n) Night Clubs
o) Offices of more than 500 square metres in gross floor area on a single lot
p) Off-site caveated parking
q) Paved Parking Lots
r) Private Clubs
s) Pool Halls
t) Retail stores of more than 1,000 square metres in gross floor area on a single lot
u) Shopping Centres containing uses permitted or discretionary in this zone
v) Trade Union Halls

5.10.3 REGULATIONS

1) Where a MAC1, 2 zoned lot faces (includes flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence shall be erected and maintained along the interfacing property line by the property owner.

2) The regulations respecting lot size, frontage, coverage, building height and yards are as shown on Table 2, Commercial Zone Regulations, unless otherwise specified on the Zoning Maps.

5.11 MS: MAINSTREET ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to provide multiple housing, local shopping and community facilities to serve the needs of the residents of the Northwest Sector.

5.11.1 PERMITTED USES

The following are permitted uses in MS Zones:

a) Ambulance Service Establishments
b) Animal Hospitals
c) Apartment Dwelling Units - Low Rise
d) Approved Homes
e) Art Galleries
f) Bakery Shops
g) Banks and other Financial Institutions
h) Churches
i) Confectionery Stores
j) Day Care Centres subject to the provisions of Section 10.4
k) Fire Stations
l) Fourplex Dwelling Units
m) Group Homes - Type 1 (Residential Care Home) one per sponsoring agency per district subject to the provisions of Section 10.3
n) Home Occupations subject to the provisions of Section 10.2
o) Libraries
p) Licensed Dining Rooms with a maximum seating capacity of 100 persons
q) Licensed Restaurants with a maximum seating capacity of 100 persons
r) Offices of 500m^2 or less in gross floor area on a single lot
s) Personal Service Establishments of 200m^2 or less in gross floor area
t) Police Stations
u) Post Offices
v) Private Clubs
w) Public Uses subject to the provisions of Section 9.3
x) Repair Shops of 200m^2 or less in gross floor area
y) Restaurants with a maximum seating capacity of 100 persons
z) Residential Offices subject to provisions of Section 10.1
aa) Retail Uses of 850m^2 or less in gross floor area on a single lot
bb) Senior Citizens' Apartment Dwelling Units
cc) Townhouse Dwelling Units
dd) Triplex Dwelling Units

5.11.2 DISCRETIONARY USES

The following are discretionary uses in MS Zones:

a) Adult Care Homes
b) Bingo Halls
c) Bowling Alleys
d) Car Washes
e) Commercial Clubs
f) Community Centres
g) Convenience Stores
h) Dwelling Units in the same building as a permitted or discretionary use in this zone
i) Enclosed rinks
j) Fast Food Outlets
k) Gas Bars
l) Grocery Stores
m) Group Homes - Type 1 (Residential Care Home) one per sponsoring agency per district, in addition to that permitted in this zone, subject to the provisions of Section 10.3
n) Group Homes - Type 2 (Crisis Care Facilities) subject to the provisions of Section 10.3
o) Home Improvement Centres
p) Licensed Cocktail Rooms
q) Licensed Dining Rooms with greater than 100 persons seating capacity
r) Licensed Restaurants with greater than 100 persons seating capacity
s) Liquor Stores
t) Nursery Stores - Type 1
u) Offices of more than 500m^2 in gross floor area on a single lot
v) Planned Group of Dwelling Units subject to the provisions of Section 10.5
w) Pool Halls
x) Private Clubs
y) Restaurants with greater than 100 persons seating capacity
z) Retail Uses more than 850m^2 in gross floor area on a single lot
aa) Service Stations
bb) Shopping Centres containing uses permitted or discretionary in this zone

5.11.3 REGULATIONS

1) The regulations respecting lot area, frontage, coverage, floor area ratio, building height and yards are as shown on Table 2, Commercial Zone Regulations unless otherwise specified on the Zoning Maps.

2) The minimum required residential net density shall be 40 units per hectare.

3) No portion of a licensed eating or drinking establishment shall be located outside of a building.

4) Where an MS zoned lot faces (includes flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence shall be erected and maintained along the interfacing property line by the property owner.

5.11.4 LANDSCAPING STANDARDS

1) Where an MS zoned lot containing a multiple dwelling residential use abuts (includes frontage, flankage and rear lot line) onto a detached dwelling use, a landscaped buffer and screen with a minimum width of 3 metres, which may include the City boulevard adjacent to the site, shall be provided and maintained along the interfacing property line by the property owner.

2) Where an MS zoned lot contains a non-residential use that abuts a detached dwelling use, a landscaped buffer and screen with a minimum width of 4.6 metres, which may include the City boulevard adjacent to the site, shall be provided and maintained along the interfacing property line by the property owner.

5.11.5 DISCRETIONARY USE DEVELOPMENT STANDARDS

In approving a discretionary use in the MS zone, Council may prescribe specific development standards with respect to that use which are based on and consistent with the general development standards set out in Section 9.1 of the Zoning Bylaw and with the following general development standards.

1) In order to protect the integrity of peripheral landscaping, driveway accesses should be located a minimum of 50 metres apart.

2) In order to minimize the visual impact of parking lots, the following standards should be incorporated into the parking lot design:

a) No more than 15 parking spaces should be located in a continuous row without the use of landscaping or other type of physical separation.

b) No more than 60 parking stalls should be located in a single parking cluster. (A cluster is a single grouping of parking stalls without any physical barriers such as landscaped islands, between the clusters).

c) In keeping with existing development along the street, parking areas should be located in the rear yard of sites fronting on Rochdale Boulevard. Parking may be located in the front or side yard if it is appropriately screened from Rochdale Boulevard by fencing, landscaping or a combination of both and provided that a portion of the principal building, including at least one entranceway is extended up to the minimum required setback along Rochdale Boulevard.

3) Residential units should be sited in a manner which maximizes the warming effects of the sun in winter.

4) Walkways should be developed according to the following standards:

a) Walkways should be provided to serve as access routes from parking lots to Rochdale Boulevard at intervals no greater than 400 metres.

b) Walkways should be lit to make them safe for use in the evening.

c) Walkways should be a minimum of 1.2 metres in width.

5) Potentially hazardous places such as abrupt changes in grade, stairs, or ramps should be well lit.

6) The development of outdoor spaces such as plazas, public squares, or various enclosed or semi-enclosed areas or other spaces serving as connectors and unifiers for areas along and around Rochdale Boulevard should be encouraged to attract pedestrian activity on the street. These spaces and/or areas should be developed according to the following standards:

a) The maximum elevation or depression should not exceed 1.5 metres from street level.

b) No more than 50% of the area should be occupied by street furniture, benches, fountains, clock towers or other architectural features.

c) A minimum of 25% of the surface should have the potential for sun exposure year round. Seating should be located in sheltered sunny areas with activity outlook and pleasant views.

d) The delineation of outdoor spaces should be designed to mitigate against negative climactic effects and enhance the positive ones.

7) Gas bars and car washes facing Rochdale Boulevard should be screened by a linear landscape. Such uses should be located on corner lots to increase their accessibility for vehicular traffic.

5.12 NC - NEIGHBOURHOOD CONVENIENCE ZONE

GENERAL PURPOSE OF ZONE

The NC zone is the most restrictive commercial zone. It is designed to provide only those limited convenience shopping opportunities for a particular neighbourhood which are compatible with a residential context. This zone should be situated in a manner which will minimize the environmental impacts of these businesses.

5.12.1 PERMITTED USES

The following are permitted uses in NC zones:

a) Banks or other Financial Institutions
b) Confectionery Stores
c) Offices of 200m^2 or less in gross floor area on a single lot
d) Personal Service Establishments of 200m^2 or less in gross floor area
e) Public Uses subject to the provisions of Section 9.3
f) Repair shops of 200m^2 or less in gross floor area
g) Retail Uses 300m^2 or less in gross floor area on a single lot

5.12.2 DISCRETIONARY USES

The following are discretionary uses in NC zones:

a) Bakery Shops
b) Churches
c) Community Centres
d) Day Care Centres subject to the provisions of Section 10.4
e) Detached Dwelling Units
f) Dwelling units in the same building as a permitted or discretionary use in this zone
g) Licensed dining rooms with a maximum seating capacity of 50 persons
h) Licensed restaurants with a maximum seating capacity of 50 persons
i) Nursery Schools - Type 1
j) Restaurants with a maximum seating capacity of 50 persons

5.12.3 REGULATIONS

1) The regulations respecting lot area, frontage, coverage, floor area ratio, building height and yards are as shown on Table 2, Commercial Zone Regulations, unless otherwise specified on the Zoning Maps.

2) In NC zones, no portion of an eating or drinking establishment shall be located outside of a building.

3) Where more than one liquor licensed use is combined in a single establishment, the maximum capacity shall not exceed 50 persons.

4) Where an NC zoned lot faces (includes flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence shall be erected and maintained along the interfacing property line by the property owner.

5.13 TAS: TRANSITIONAL AREA SERVICE ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to provide for a limited range of convenience shopping facilities, commercial and non-commercial service uses within easy access of the residents of a neighbourhood. The facilities provided within the zone shall not by virtue of their variety, scale or number attract shoppers from outside the neighbourhood.

The development of dwelling units in the same building as a permitted or discretionary use is accommodated in this zone in an effort to reinforce the general residential character of the neighbourhood.

5.13.1 PERMITTED USES

The following are permitted uses in TAS zones:

a) Bakery Shops
b) Confectionery Stores
c) Convenience Stores
d) Dwelling Units in the same building as a permitted or discretionary use in this zone
e) Offices of 200m^2 or less in gross floor area on a single lot
f) Personal Service Establishments of less than 200 square metres in gross floor area
g) Public Uses subject to the provisions of Section 9.3
h) Repair Shops of 200 square metres or less in gross floor area
i) Retail Uses of 300 square metres or less in gross floor area on a single lot

5.13.2 DISCRETIONARY USES

The following are discretionary uses in TAS zones:

a) Churches
b) Community Centres
c) Day Care Centres subject to the provisions of Section 10.4
d) Grocery stores of 1,500 square metres or less in gross floor area
e) Licensed Dining Rooms
f) Licensed Restaurants
g) Nursery Schools - Type 1
h) Restaurants

5.13.3 REGULATIONS

1) The regulations respecting lot area, frontage, coverage, floor area ratio, and yards are as shown on Table 2, Commercial Zone Regulations, unless otherwise specified on the Zoning Maps.

2) The maximum permitted principal building height in the TAS zone shall be as follows, unless otherwise specified on the Zoning Maps.

   a) Buildings containing dwelling units may be developed to a maximum height equal to the maximum permitted height of the zone abutting the site on which the building is located.

   b) Other uses shall be limited to a maximum permitted principal building height of 6m.

3) Commercial uses in buildings containing dwelling units shall be limited to first and second storey locations only.

4) Where a building is constructed with a pitched roof, the perpendicular distance between grade level and any ridge of the roof shall not exceed the maximum permitted height specified for that location on the site plus 4.6m.

5) Where a TAS zoned lot faces (includes flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence shall be erected and maintained along the interfacing property line by the property owner.

SECTION 6

INDUSTRIAL USE ZONES

6.1 IA, IA1: LIGHT INDUSTRIAL ZONES

GENERAL PURPOSE OF ZONE

The purpose of these zones is to provide for a wide range of industrial and manufacturing uses with some associated commercial and service establishments but excluding those industries, which may be offensive by reason of noise, smell or other forms of pollution.

6.1.1 PERMITTED USES

The following are permitted uses in IA Zones:

a) Ambulance Service Establishments
b) Animal Hospitals
c) Animal Shelters
d) Bakeries
e) Biscuit Plants
f) Breweries or Distilleries
g) Car Washes
h) Cleaning of Rugs, Carpets or Rags
i) Cold Storage Plants
j) Commercial Printing or Publishing Establishments
k) Confectionery Stores
l) Contractors or Builders' Yards or shops for indoor storage or keeping of vehicles, equipment materials or supplies
m) Convenience Store
n) Crating Services
o) Crematoria
p) Display and Sales of Prefabricated or Prepackaged Homes
q) Dyeing
r) Fabrication or Assembly of any item from standardized parts but excluding any processing of raw materials or partly finished materials
s) Farm Implement, Large Equipment or Machinery Sales or Rental
t) Food Freezer or Locker Plants excluding slaughtering or eviscerating of meats or game
u) Fur Dyeing or Finishing except Tanning
v) Gas Bars
w) Industrial Printing
x) Ink Mixing and Packaging
y) Laundry Plants
z) Light Manufacturing of goods or products that are not IB zone permitted uses and are of a nature considered to be less offensive than uses permitted in IB zones
aa) Lumber Yards
bb) Machine Shops
cc) Medical or Dental Laboratories

dd) Metal Sharpening or Machining
ee) Milk Plants or Dairies
ff) Mobile Home, Trailer, Recreational Vehicle Sales, Rentals, Servicing or Repairs
gg) Newspaper Printing Establishments
hh) Packaging, Bottling, Boxing of any article or commodity for which the warehoused, storage, sale at retail, sale at wholesale, fabrication, processing or manufacture is permitted within these zones
ii) Personal Service Establishments
jj) Photostating, Blue Printing, Engraving or Lithography Establishments
kk) Private Clubs
ll) Public Uses subject to the provisions of Section 9.3
mm) Recreational Schools
nn) Repair, Rental or Servicing of any article, vehicle or commodity, the sale, warehousing, fabrication, packaging or assembly which is carried on as a principal permitted use upon the premises or which is permitted within these zones
oo) Retreading and Repairing of Tires
pp) Sale at retail of equipment, supplies or materials for agriculture, mining, industry, business, transportation, building and other construction, except commercial explosives
qq) Sale at retail of hardware or any commodity otherwise permitted to be manufactured, processed, fabricated or warehoused in these zones
rr) Sale at wholesale of any commodity, the fabrication, storage, warehousing or assembly of which is permitted in this zone
ss) Repair Shops
tt) Service Stations
uu) Soft Drink Bottling
vv) Taxidermy Shops
ww) Trade Union Halls
xx) Truck Washes
yy) Vehicular Repair Establishments
zz) Vehicular Sales, Rentals, Servicing or Repairs
aaa) Warehousing or indoor Storage of any goods, materials or commodities excluding any hazardous materials

6.1.2 DISCRETIONARY USES

The following are discretionary uses in IA zones:

a) Auctioneering Establishments
b) Banks or other Financial Institutions
c) Bingo Halls
d) Business, Commercial or Technical Schools
e) Churches
f) Day Care Centres subject to the provisions of Section 10.4
g) Detached Dwelling Units
h) Drive-in Restaurants
i) Dry Cleaning Plants
j) Enclosed Rinks

k) Food Processing
l) Funeral Homes
m) Home Improvement Centres
n) Industrial Laboratories
o) Licensed Cocktail Rooms
p) Licensed Dining Rooms
q) Licensed Restaurants
r) Living quarters for a watchman or caretaker and his family, whose duties are essential to the security of the industrial use, and said living quarters shall be located on the same lot or lots as the industrial use.
s) Mirror Silvering
t) Mixing of completely fabricated, processed or manufactured materials
u) Nightclubs
v) Off-site Caveated Parking
w) Offices
x) Paved Parking Lots
y) Pool Halls
z) Restaurants
aa) Warehousing or indoor storage of any hazardous materials

6.1.3 REGULATIONS

1) The regulations for uses in these zones respecting lot size, coverage, frontage, floor area ratio, building height and yards are as shown on Table 3, Industrial Zone Regulations, unless otherwise specified on the Zoning Maps.

2) Where an IA, IA1 zoned lot faces (includes flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence shall be erected and maintained along the interfacing property line by the property owner.

6.2 IB, IB1: MEDIUM INDUSTRIAL ZONES

GENERAL PURPOSE OF ZONE

The purpose of these zones is to provide for a range of industrial uses that permit a reasonable level of outdoor storage and activity but not of an obnoxious or offensive nature.

6.2.1 PERMITTED USES

The following are permitted uses in IB Zones:

a) Animal Shelters
b) Bakeries
c) Biscuit Plant
d) Blacksmith Shop, fabrication of iron or metal appurtenances or goods
e) Breweries or Distilleries
f) Car Washes
g) Cleaning of Rugs, Carpets or Rags
h) Cold Storage Plants
i) Commercial Printing or Publishing Establishments
j) Contractors or Builders' Yard (or Shop) for storage or keeping of vehicles, equipment, materials or supplies of any building trade or contractor including performance of shop or assembly work or the storage of heavy machinery, plant or equipment
k) Crating Services
l) Crematoria
m) Dyeing
n) Fabrication or Assembly of any item from standardized parts but excluding any processing of raw materials or partly finished materials
o) Farm Implement, Large Equipment or Machinery Sales or Rental
p) Food Freezer or Locker Plants excluding slaughtering or eviscerating of meats or game
q) Food Processing
r) Fur Dyeing or Finishing except Tanning
s) Gas Bars
t) Grain Milling, Cleaning or Drying
u) Industrial Printing
v) Ink Mixing and Packaging
w) Laundry Plants
x) Lumber Yards
y) Machine Shops
z) Manufacturing of chemicals other than heavy or noxious substances
aa) Manufacturing of vinegar, sauerkraut, fermented fruit or vegetable products
bb) Metal Sharpening or Machining
cc) Milk Plants or Dairies
dd) Newspaper Printing or Publishing Establishments
ee) Nurseries, Greenhouses or Market Gardens

ff) Packaging, Bottling, Boxing of any article or commodity for which the warehoused, storage, sale at retail, sale at wholesale, fabrication, processing or manufacture is permitted within these zones
gg) Photostating, Blue Printing, Engraving or Lithography Establishments
hh) Public Uses subject to the provisions of Section 9.3
ii) Recreational Schools
jj) Repair, Rental or Servicing of any article, vehicle or commodity, the sale, warehousing, fabrication, packaging or assembly which is carried on as a principal permitted use upon the premises or which is permitted within these zones
kk) Retreading and Repairing of Tires
ll) Sale at retail of equipment, supplies or materials for agriculture, mining, industry, business, transportation, building and other construction, except commercial explosives
mm) Sale at retail of hardware or any commodity otherwise permitted to be manufactured, processed, fabricated or warehoused on the premises
nn) Sale at wholesale of any commodity, the fabrication, storage, warehousing or assembly of which is permitted in this zone
oo) Repair Shops
pp) Service Stations
qq) Sheet Metal Products, fabrication of culverts, tanks, pipes, etc.
rr) Soft Drink Bottling
ss) Taxidermy Shops
tt) Trucking or Freight Terminals
uu) Truck Washes
vv) Vehicular Repair Establishments
ww) Warehousing or storage of any goods, materials or commodities excluding any hazardous materials

6.2.2 <u>DISCRETIONARY USES</u>

The following are discretionary uses in IB Zones:

a) Business, Commercial or Technical Schools
b) Day Care Centres subject to the provisions of Section 10.4
c) Dry Cleaning Plants
d) Ice manufacture and storage
e) Industrial Laboratories
f) Living quarters for a watchman or caretaker and his family, whose duties are essential to the security of the industrial use, and said living quarters shall be located on the same lot or lots as the industrial use.
g) Manufacturing of nitrogen and oxygen
h) Mirror Silvering
i) Mixing of completely fabricated, processed or manufactured materials
j) Paved Parking Lots
k) Private Clubs

1) Salvage Yards for automobile wrecking or the keeping and storage of waste paper, rags, bones, bottles, bicycles, automobile tires, old metal, and other scrap material or the buying, selling, exchaining, baling, packing, dismantling or handling of such
m) Sandblasting
n) Warehousing or indoor storage of any hazardous materials

6.2.3 REGULATIONS

1) The regulations for uses in this zone respecting lot size, coverage, frontage, floor area ratio, building height and yards are as shown on Table 3, Industrial Zone Regulations, unless otherwise specified on the Zoning Maps, and except within the IB1 Zone a 7.5 metre front yard shall be required within Ross Industrial Subdivision, Alliance Industrial Subdivision, all those lands included within Registered Plan No. 70R18593 and Registered Plan No. 72R27589, all of Section 33 - 17 - 19 - W2nd Meridian, all that portion of Section 28 - 17 - 19 - W2nd Meridian bounded by the northern boundary of the C.P.R. right-of-way on the south and the eastern boundary of Park Street on the west.

2) Where an IB, IB1 zoned lot faces (includes flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence shall be erected and maintained along the interfacing property line by the property owner.

6.3 IC, IC1: HEAVY INDUSTRIAL ZONES

GENERAL PURPOSE OF ZONE

The purpose of these zones is to provide for those industrial and manufacturing establishments which, by nature of their operations, may result in noise, smell, or other forms of pollution that would affect adjoining land uses.

6.3.1 PERMITTED USES

The following are permitted uses in IC Zones:

a) Animal Shelters
b) Bakeries
c) Biscuit Plant
d) Blacksmith Shop, fabrication of iron or metal appurtenances or goods
e) Breweries or Distilleries
f) Car Washes
g) Cleaning of Rugs, Carpets or Rags
h) Cold Storage or Locker Plants
i) Contractors or Builders Yard (or Shop) for storage or keeping of vehicles, equipment, materials or supplies of any building trade or contractor including performance of shop or assembly work or the storage of heavy machinery, plant or equipment
j) Crating Services
k) Crematoria or Mortuaries
l) Dyeing
m) Fabrication or Assembly of any article or commodity
n) Farm Implement, Large Equipment or Machinery Sales or Rental
o) Food Processing
p) Fur Dyeing, Finishing or Tanning
q) Gas Bars
r) Grain Milling, Cleaning or Drying
s) Industrial Printing
t) Ink Mixing and Packaging
u) Livestock Feed Yards or Stock Yards
v) Machine Shops
w) Manufacturing of vinegar, sauerkraut, fermented fruit or vegetable products
x) Manufacturing, Processing, Storage or Fabrication of any goods except Nuclear Generating or Nuclear Processing Plants
y) Metal Sharpening or Machining
z) Milk Plants or Dairies
aa) Packaging, Bottling, Boxing of any article or commodity for which the warehoused, storage, sale at retail, sale at wholesale, fabrication, processing or manufacture is permitted within these zones
bb) Public Uses subject to the provisions of Section 9.3

cc) Repair, Rental or Servicing or any article, vehicle or commodity, the sale, warehousing, fabrication, packaging or assembly which is carried on as a principal permitted use upon the premises or which is permitted within these zones
dd) Retreading and Repairing of Tires
ee) Rock or Gravel Processing
ff) Sale at retail of equipment, supplies or materials for agriculture, mining, industry, business, transportation, building, and other construction
gg) Sale at retail of hardware or any commodity otherwise permitted to be manufactured, processed, fabricated or warehoused on the premises
hh) Sale at wholesale of any commodity, the fabrication, storage, warehousing or assembly of which is permitted in this zone
ii) Sandblasting
jj) Service Stations
kk) Repair Shops
ll) Sheet Metal Products, fabrication of culverts, tanks, pipes, etc.
mm) Soft Drink Bottling
nn) Taxidermy Shops
oo) Trucking or Freight Terminals
pp) Truck Washes
qq) Vehicular Repair Establishments
rr) Warehousing or storage of any goods, materials or commodities excluding any hazardous materials

6.3.2 DISCRETIONARY USES

The following are discretionary uses in IC Zones:

a) Abatoirs or Animal By-Product Rendering Plants
b) Day Care Centres subject to the provisions of Section 10.4
c) Ice manufacture and storage
d) Industrial laboratories
e) Manufacture of chemicals
f) Manufacturing of nitrogen and oxygen
g) Manufacturing, Processing, Storage or Fabrication of Explosives
h) Mirror Silvering
i) Mixing of completely fabricated, processed or manufactured materials
j) Oil or Gas Storage Yards
k) Railroad Yards for storage, maintenance, repair of rolling stock or other equipment, for servicing or supply of trains or including the customary buildings or structures therefore
l) Salvage Yards for automobile wrecking or the keeping and storage of waste paper, rags, bones, bottles, bicycles, automobile tires, old metal, and other scrap material or the buying, selling, exchanging, baling, packing, dismantling or handling of such

m) Warehousing or indoor storage of any hazardous materials

6.3.3 REGULATIONS

1) The regulations for uses in this zone respecting lot size, coverage, frontage, floor area ratio, building height and yards are as shown on Table 3, Industrial Zone Regulations, unless otherwise specified on the Zoning Maps.

2) Where an IC, IC1 zoned lot faces (includes flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence shall be erected and maintained along the interfacing property line by the property owner.

6.4 IIT: INNISMORE INDUSTRIAL TRANSITIONAL ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to implement the planned change to industrial uses for the Innismore area in a manner that is sensitive to the remaining existing homes. New industrial developments are encouraged to provide landscaping and building features that are compatible with the homes which will be legally conforming in the zone. In order to encourage sensitive and compatible development during the transition, the permit review procedure is modified to require the opinion of the Development Officer in certain cases.

6.4.1 PERMITTED USES

The following are permitted uses in the IIT zone;

a) Commercial Printing or Publishing
b) Cold Storage
c) Confectionary Store
d) Convenience Store
e) Converted Dwelling
f) Furniture or Appliance Warehouse or Retailing
g) Fur Dying or Finishing
h) Industrial Laboratories
i) Laundry and Dry-Cleaning Plants
j) Licensed Restaurants
k) Lithography and Blue Printing
l) Offices
m) Personal Service Establishments
n) Private Clubs
o) Public Uses subject to the provisions of Section 9.3.
p) Recreational Schools
q) Repair, Rental or Servicing or Articles, Vehicles of Commodities
r) Restaurants
s) Retail or Wholesale Sales
t) Service or Repair Shops
u) Vehicular Sales, Rentals, Servicing or Repairs
v) Warehousing of Non-Hazardous Goods, Materials and Commodities.

6.4.2 DISCRETIONARY USES

The following are discretionary uses in the IIT zone:

a) Contractors or Builders Yards
b) Dwelling Units - Detached, Semi-Detached, Duplex or Townhouse
c) Fabrication or Assembly of Items from Standard or Prefabricated Parts
d) Gas Bars
e) Lumber Yards
f) Machine Shops
g) Off-Site Caveated Parking
h) Service Stations

6.4.3 REGULATIONS

The regulations specifying lot area, frontage and coverage; floor area ratio; front, rear and side yards and height limits shall be as described in Table 3 of this bylaw unless otherwise specified on the zoning map.

Where a proposed new development is on property that will adjoin a property which has an occupied existing residential home, then a statement shall accompany all development permit applications clearly describing the manner in which the Performance Standards of Section 6.7.4 have been accommodated. This statement shall be to the satisfaction of the Development Officer.

6.4.4 PERFORMANCE STANDARDS

The following standards shall be taken into consideration. Modifications to the development may be required in order to achieve the spirit and intent of these standards.

i) Front and rear yards should be in sympathy with those that exist from the occupied residential home.

ii) Side yards or setbacks along the common property line should be provided to ensure adequate daylight penetration to windows of the occupied residential home that face that common property line.

iii) Narrow long sideyards that are likely to end up as unsightly unusable spaces are to be avoided.

iv) Mature existing trees and shrubs should be carefully preserved whenever possible and, in order to maintain the overall attractiveness of Innismore, provision should be made for new trees and shrubs.

v) Special attention should be paid to the manner in which cars, particularly those in need of repair, are parked.

vi) Care should be taken to ensure that direct sunlight can penetrate into the property of the home for at least half of the year from March to September.

vii) Illuminated signs are acceptable but should not be located in such a manner as to throw direct light into the windows of the homes.

viii) Architectural forms of a residential style and character should be encouraged.

ix) Account shall be taken of the need to provide for the quiet enjoyment of the existing occupied residential home in terms of anticipated noise levels, possible odours and the provision of a reasonable degree of privacy.

6.5 IP: PRESTIGE INDUSTRIAL SERVICE ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to provide for a high standard of design, landscaping and maintenance for industrial office type operations, warehousing and service industries. The zone will be in locations highly visible to the traveling public and outside operations in this zone will be limited to the loading and unloading of materials in the rear yard only, well screened from public view.

6.5.1 PERMITTED USES

The following are permitted uses in the IP zone:

a) Banks or other Financial Institutions
b) Indoor repair, rental or servicing of any commodity which is permitted to be warehoused in this zone
c) Indoor sale at retail or wholesale of any goods, materials or commodity which is permitted to be warehoused in this zone, as an accessory use to a warehousing operation
d) Offices
e) Public Uses subject to the provisions of Section 9.3
f) Warehousing or indoor storage of any goods, materials or commodities excluding any hazardous materials

6.5.2 DISCRETIONARY USES

The following are discretionary uses in the IP zone:

a) Animal Hospitals
b) Bingo Halls
c) Business, Commercial or Technical Schools
d) Commercial Clubs
e) Confectionery Stores
f) Convenience Stores
g) Day Care Centres in the same Building as a Permitted or Discretionary Use subject to the provisions of Section 9.4
h) Home Improvement Centres
i) Hotels
j) Licensed Beverage Rooms
k) Licensed Cocktail Rooms
l) Licensed Dining Rooms
m) Licensed Restaurants
n) Medical or Dental Laboratories
o) Nightclubs
p) Photostating, blue printing, engraving or lithography establishments of less than 500 square metres in gross floor area
q) Private Clubs

r) Recreational Schools
s) Restaurants
t) Trade Union Halls
u) Warehousing or indoor storage of any hazardous materials

6.5.3 REGULATIONS

1) The regulations for uses in this zone respecting lot size, coverage, frontage, floor area ratio, building height and yards are as outlined in Table 3, Industrial Zone Regulations, unless otherwise specified in the Zoning Maps.

2) Minimum front yard shall be used completely as landscaped open space. However, driveways leading to parking areas located on the side or rear yard shall be permitted to cross the minimum front yard, but shall be no larger than is necessary to accomplish the purpose they are to serve.

3) Where an IP zoned lot faces (includes flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence, shall be erected and maintained along the interfacing property line by the property owner.

6.6 IT: INDUSTRIAL TUXEDO PARK ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to provide for light to medium industrial uses in the Tuxedo Park area under one zone. These uses include some associated commercial and service establishments but excludes any businesses which may be offensive by reason of size, noise, smell, or other forms of poor land use.

6.6.1 PERMITTED USES

The following are permitted uses in the IT Zone:

a) Animal Hospitals
b) Animal Shelters
c) Car Washes
d) Cleaning of Rugs, Carpets or Rags
e) Cold Storage Plants
f) Commercial Printing or Publishing Establishments
g) Confectionery Stores
h) Contractors of Builders' Yards or shops for indoor storage or keeping of vehicles, equipment materials or supplier of any building trade or contractor including performance of shop or assembly of heavy machinery, plant or equipment such as cranes, ploughs, tractors, pile drivers, road making equipment, wreckers or steel erector's equipment.
i) Convenience Stores
j) Crating Services
k) Display and Sales of Prefabricated or Prepackaged homes
l) Fabrication or Assembly of any item from standard parts but excluding any processing of raw materials or partly finished materials.
m) Food Freezer or Locker Plants excluding slaughtering or eviscerating of meats or game
n) Fur dyeing or finishing except Tanning
o) Gas Bars
p) Industrial Printing
q) Ink Mixing and Packaging
r) Laundry Plants
s) Light manufacturing of goods or products that are not IB zone permitted uses and are of a nature considered to be less offensive than uses permitted in IB zones.
t) Lumber Yards
u) Machine Shops
v) Metal Sharpening or Machining
w) Mobile Home, Trailer, Recreational Vehicle Sales, Rentals, Servicing or Repairs
x) Newspaper Printing Establishments
y) Nurseries, Greenhouses or Market Gardens

aa) Packaging, Bottling, Boxing of any article or commodity for which the warehouse, storage, sale at retail, sale at wholesale, fabrication, processing or manufacture is permitted within this zone.
bb) Personal Service Establishments
cc) Photostating, Blue Printing, Engraving or Lithography Establishments
dd) Private Clubs
ee) Public Uses subject to the provisions of Section 9.3
ff) Recreational Schools
gg) Repair, Rental or Servicing of any article, vehicle or commodity, the sale, warehousing, fabrication, packaging or assembly of which is carried on as a principal permitted use upon the premises or which is permitted within these zones.
hh) Retreading and Repairing of Tires
ii) Sale at retail of equipment, supplies or materials for agriculture, mining, industry, business, transportation, building and other construction, except commercial explosives
jj) Sale at retail of hardware of any commodity otherwise permitted to be manufactured, processed, fabricated or warehoused in this zone
kk) Sale at wholesale of any commodity, the fabrication storage, warehousing or assembly of which is permitted in this zone
ll) Service Stations
mm) Repair Shops
nn) Soft Drink Bottling
oo) Taxidermy Shops
pp) Truck Washes
qq) Vehicular Repair Establishments
rr) Vehicular Sales, Rentals, Servicing or Repairs
ss) Warehousing or indoor storage of any goods, materials or commodities excluding any hazardous materials

6.6.2 DISCRETIONARY USES

The following are discretionary uses in the IT Zone:

a) Auctioneering Establishments
b) Business, Commercial or Technical Schools
c) Dry Cleaning Plants
d) Industrial Laboratories
e) Licensed Cocktail Rooms
f) Licensed Dining Rooms
g) Licensed Restaurants
h) Liquor Stores
i) Mirror Silvering
j) Mixing of completely fabricated, processed or manufactured materials
k) Offices
l) Off-site Caveated Parking
m) Restaurants
n) Sandblasting
o) Warehousing or indoor storage of any hazardous materials

6.6.3 REGULATIONS

1) The regulations for uses in this zone respecting lot size, coverage, frontage, floor area ratio, building height and yards are as shown on Table 3, IT Zone Regulations, unless otherwise specified on the Zoning Maps.

2) No outdoor storage shall be permitted in a side yard which is less than three metres in width in the IT - Industrial Tuxedo Park Zone.

3) Where an IT zoned lot faces (includes flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence shall be erected and maintained along the interfacing property line by the property owner.

6.7 WH: DEWDNEY AVENUE WAREHOUSE ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to encourage the retention and reuse of the existing warehouses along Dewdney Avenue in order to preserve the warehouse character of this area. This zone will provide for a wide range of uses that could rejuvenate the area; however, they will also be of a nature that will complement and not compete with the downtown.

6.7.1 PERMITTED USES

The following are permitted uses in the WH zone:

a) Animal Hospitals
b) Bingo Halls
c) Business, Commercial or Technical Schools
d) Cold Storage Plants
e) Commercial Clubs
f) Commercial Printing or Publishing Establishments
g) Community Colleges
h) Crating Services
i) Food Freezer or Locker Plants excluding slaughtering or eviscerating or meats or game
j) Industrial Printing
k) Laundry Plants
l) Medical or Dental Laboratories
m) Newspaper Printing Establishments
n) Photostating, Blue Printing, Engraving or Lithography Establishments
o) Private Clubs
p) Public Uses subject to the provisions of Section 9.3
q) Recreational Schools
r) Retail stores of 1000 or more square metres of gross floor area
s) Sale at wholesale of any commodity
t) Service or Repair Shops
u) Trade Union Halls
v) Warehousing or indoor storage of any goods, materials or commodities excluding any hazardous materials

6.7.2 DISCRETIONARY USES

The following are discretionary uses in the WH zone:

a) Amusement Arcades
b) Auctioneering Establishments
c) Bowling Alleys
d) Churches
e) Day Care Centres subject to the provisions of Section 10.4
f) Dry Cleaning Plants
g) Industrial Laboratories

h) Licensed Cocktail Rooms
i) Licensed Dining Rooms
j) Licensed Restaurants
k) Nightclubs
l) Offices
m) Pool Halls
n) Restaurants
o) Retail stores of not less than 300 square metres and not more than 1000 square metres of gross floor area
p) Warehousing or indoor storage of any hazardous materials

6.7.3 REGULATIONS

1) The regulations for uses in this zone respecting lot size, coverage, frontage, floor area ratio, building height and yards are as shown on Table 3, Industrial zone Regulations, unless otherwise specified on the Zoning Maps.

2) Notwithstanding Section 9.2, a retail use as an accessory use to a warehousing or wholesaling principal use shall be restricted in area to not more than 40% of the total gross floor area.

3) Where a WH zoned lot faces (includes flankage and rear lot line) onto a residentially zoned property, a minimum 1.5m in height screen fence shall be erected and maintained along the interfacing property line by the property owner.

SECTION 7

REGULATORY ZONES

7.1 F: FLOOR AREA RATIO ZONE

The maximum floor area ratio permitted on any lot unless otherwise specified in this Bylaw is determined by the FLOOR AREA RATIO ZONE, and is calculated as follows:

$$\frac{\text{gross floor area}}{\text{lot area}} = \text{floor area ratio}$$

The maximum floor area ratio permitted in a Floor Area Ratio Zone is determined by the number following the letter F on the Zoning Maps.

Example for illustrative purposes only:

DSC.F.323
DSC uses are permitted to a maximum floor area ratio of .323

7.2 H: HEIGHT ZONES

The maximum height on any lot unless otherwise specified in this Bylaw is determined by the HEIGHT ZONE.

The maximum building height permitted in a Height Zone is determined by the number following the letter H on the Zoning Maps and is expressed in metres.

Examples for illustrative purposes only:

MAC1.H50: MAC1 uses are permitted to a maximum height of 50 metres.

7.3 U: UNITS PER HECTARE ZONE

The maximum number of dwelling units permitted on any residential lot is determined by the Units Per Hectare Zone.

Each Units Per Hectare Zone permits a maximum number of units per hectare calculated as follows:

$$\frac{\text{Total Number of units}}{\text{lot area (in hectares)}} = \text{Units per hectare}$$

The maximum number of units permitted per hectare is indicated by the number following the letter U on the Zoning Maps. If any site does not fall within a U zone, then there is no maximum units per hectare restriction.

Example for illustrative purposes only:

R6.U60: R6 uses are permitted as specified to a maximum of 60 units per hectare.

SECTION 8

SPECIAL ZONES

8.1 AIR: AIRPORT ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to control lands required for the Regina Airport.

8.1.1 PERMITTED USES

The following are permitted uses in AIR Zones:

a) Public Uses subject to the provisions of Section 9.3
b) Uses directly related to the maintenance and operation of private and public aircraft

8.1.2 DISCRETIONARY USES

The following are discretionary uses in AIR Zones:

a) Uses incidental to the operation of the Regina Airport but providing a service to airport visitors.

8.2 AR: AIRPORT RESTRICTED ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to control undeveloped lands potentially affected by or affecting the operations of the Regina Airport.

8.2.1 PERMITTED USES

The following are permitted uses in AR Zones:

a) Farms, Market Gardens or other agricultural uses which may include stands for the sale of produce grown or produced on the premises
b) Golf Courses or Golf Driving Ranges
c) Greenhouses or Landscape Nursery-Stock Farms which may include facilities for the sale of plants, shrubs or trees and other associated products such as commercial fertilizers, insecticides, small garden tools
d) Outdoor Rinks
e) Parks, Picnic Areas or Open Space Facilities for use by the general public
f) Public Uses subject to the provisions of Section 9.3

8.2.2 DISCRETIONARY USES

The following are discretionary uses in AR Zones:

a) Animal Hospitals
b) Animal Shelters
c) Bingo Halls
d) Churches
e) Commercial Amusement Parks
f) Commercial Clubs
g) Community Centres
h) Curling Rinks
i) Detached Dwelling Units accessory to permitted uses
j) Eleemosynary Institutions
k) Enclosed Rinks
l) Private Clubs

8.2.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio, building height, and yards are shown on Table 4, Special Zone Regulations, unless otherwise specified on the Zoning Maps.

8.3 C: CONTRACT ZONE

8.3.1 The use of the symbol "C" in the Zoning Maps shall indicate a property which has been rezoned through a contractual agreement between an individual or individuals and the City of Regina.

Example for illustrative purposes only.

C

Those uses, regulations and conditions described in the applicable zoning contract shall apply to development on the specified property.

All approved zoning contracts shall be appended to Section 16 - Zoning Contracts of this Bylaw.

8.3.2 The application and approval of Contract Zones shall be regulated by the Planning and Development Act, 1983 and by the "Guidelines for the Application of Contract Zoning" outlined in the Regina Development Plan.

8.3.3 The uses which shall be allowed on a property having an approved zoning contract shall be those specified in said contract.

8.3.4 The regulations respecting lot size, frontage, coverage, floor area ratio, building height and yards, parking, payment in lieu of parking, and loading which shall apply to a property having an approved zoning contract shall be those specified in said contract.

8.3.5 For reference purposes, the following is a list of the approved zoning contracts appended to Section 16 of this bylaw:

Bylaw No.	Legal Description of Property Lot(s)	Block	Plan No.	Civic Address of Affected Property	Contract Approval Date
8202	16	E	DV4404	4138 Dewdney Ave.	April 15, 1986
8203	16	456	Old 33	2330 McIntyre St.	April 7, 1986
8233	-	Y	86R14283	St. Thomas School Site	May 12, 1986
8332	-	A	78R44627	4141 25th Avenue	November 3, 1986
8352	37 excepting S.16.66 ft., 38-40	21	H4670	810 Retallack St.	January 5, 1987
8411	8-10	32	AS5547	4936 4th Ave.	April 13, 1987
8415	1-7	356	Old 33	1035 Victoria Ave.	April 13, 1987

Bylaw No.	Legal Description of Property Lot(s)	Block	Plan No.	Civic Address of Affected Property	Contract Approval Date
8424	19 and 20	245	Old 33	1689 Toronto St.	May 11, 1987
8468	26	80	Old 218	1458 Pasqua St.	July 20, 1987
	S.1/2 of 11	400	Old 33	2178 Retallack St.	Aug. 4, 1987

8.4 DC: DIRECT CONTROL DISTRICT

GENERAL PURPOSE OF ZONE

The purpose of this district is to provide for developments that, due to their unique characteristics, innovative approaches or unusual site constraints, require a more flexible approach to land use regulation than is available under traditional zoning techniques.

8.4.1 PERMITTED USES AND REGULATIONS

The uses, regulations and development guidelines applicable to a Direct Control District shall be those specified by the Planning and Development Act 1983, the "Guidelines for Development in a Direct Control District" outlined in the Development Plan, and any other conditions which may be specified by Council in the applicable development agreement.

8.5 FP: FLOOD PLAIN ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to restrict development in areas potentially subject to flooding for purposes of public safety. Areas potentially subject to flooding outside of this zone are protected by the provision of the Building Bylaw.

8.5.1 PERMITTED USES

The following are permitted uses in FP Zones:

a) Parks, Picnic Areas or Open Space Facilities for use by the general public
b) Public Uses subject to the provisions of Section 9.3

8.5.2 DISCRETIONARY USES

The following are discretionary uses in FP Zones:

a) Golf Courses or Golf Driving Ranges
b) Outdoor Rinks

8.5.3 REGULATIONS

The regulations respecting lot size, frontage, coverage, floor area ratio, building height, and yards are shown on Table 4, Special Zone Regulations, unless otherwise specified on the Zoning Map.

8.6 (H) HOLDING ZONES

The use of the holding symbol "(H)" in the Zoning Maps in conjunction with any use designation shall specify the use to which lands or buildings may be put at any time that the holding symbol is removed by amendment to this Bylaw.

Example for illustrative purposes only:

R1(H)

R1 zoning to become effective only after the holding symbol is removed by amendment to this Bylaw.

8.7 I: INSTITUTIONAL ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to regulate and provide sites providing an institutional or community service.

8.7.1 PERMITTED USES

The following are permitted uses in I Zones:

a) Business, Commercial or Technical Schools
b) Community Centres
c) Community Colleges
d) Day Care Centres subject to the provisions of Section 10.4
e) Fire Stations
f) Hospitals
g) Libraries
h) Police Stations
i) Post Offices
j) Private Schools
k) Public Museums or Art Galleries
l) Public or Separate Elementary or High Schools
m) Schools for Rehabilitation
n) Schools for the Disabled or Handicapped
o) Universities or Colleges

8.7.2 DISCRETIONARY USES

The following are discretionary uses in I Zones:

a) Ambulance Service Establishments
b) Aquariums totally within buildings
c) Cemeteries
d) Churches
e) Convents
f) Detached Dwelling Unit accessory to a permitted or discretionary use
g) Eleemosynary Institutions
h) Nursery Schools - Type 1
i) Public Auditoriums or amphitheatres
j) Public Zoos
k) Senior Citizens' Apartment Dwelling Units
l) Special Care Homes (Nursing Homes)

8.7.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio, building height, and yards are shown on Table 4, Special Zone Regulations, unless otherwise specified on the Zoning Maps.

8.8 PS: PUBLIC SERVICE ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to control those areas used or intended to be used by the public for active or passive recreational purposes.

8.8.1 PERMITTED USES

The following are permitted uses in PS Zones:

a) Community Centres
b) Golf Courses or Golf Driving Ranges
c) Outdoor Rinks
d) Parks, Picnic Areas or Open Space Facilities for use by the general public

8.8.2 DISCRETIONARY USES

The following are discretionary uses in PS Zones:

a) Churches
b) Curling Rinks
c) Day Care Centres subject to the provisions of Section 10.4
d) Enclosed Rinks
e) Exhibition Buildings or Amphitheatres
f) Nursery Schools - Type 1
g) Sports Stadia

8.8.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio, building height, and yards are shown on Table 4, Special Zone Regulations, unless otherwise specified on the Zoning Map.

8.9 PUD: PLANNED UNIT DEVELOPMENT ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to recognize existing Planned Unit Developments. PUD(R) and PUD(MU) on the Zoning Maps are for descriptive purposes only but indicate where PUD developments of a residential and a mixed use nature respectively occur.

8.9.1 PERMITTED USES AND REGULATIONS

a) Planned Unit Developments shall be permitted in accordance with the Regulations Controlling Planned Unit Development within the City of Regina and Section 235 of The Planning and Development Act, 1983.

b) No new Planned Unit Development districts shall be created subsequent to the proclamation of the Planning and Development Act, 1983.

8.10 RR: RAILWAY ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to regulate uses directly related to the operation of a railway, railway yards and rail passenger terminal.

8.10.1 PERMITTED USES

The following are permitted uses in RR Zones:

a) Public Uses subject to the provisions of Section 9.3
b) Rail Passenger Terminals
c) Yarding, Storage, Operation or Maintenance of Railway Rolling Stock

8.10.2 DISCRETIONARY USES

The following are discretionary uses in RR Zones:

a) Warehousing

8.10.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio, building height and yards are shown on Table 4, Special Zone Regulations, unless otherwise specified on the Zoning Maps.

8.11 UH: URBAN HOLDING ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to ensure that lands required for future urban development are restricted to ensure that future development may proceed in an orderly and well-planned fashion.

8.11.1 PERMITTED USES

The following are permitted uses in UH Zones:

a) Farms, Market Gardens or other agricultural uses which may include stands for the sale of produce grown or produced on the premises but shall not include abattoirs, meat or poultry products packing or processing plants
b) Greenhouses or Landscape Nursery-Stock Farms which may include facilities for the sale of plants, shrubs or trees and other associated products such as commercial fertilizers, insecticides, small garden tools; but not including farm implements or large equipment or machinery, sales or rentals.
c) Public Uses subject to the provisions of Section 9.3

8.11.2 DISCRETIONARY USES

The following are discretionary uses in UH Zones:

a) Campgrounds
b) Churches
c) Commercial Amusement Parks
d) Detached Dwelling Unit accessory to a UH permitted or discretionary use
e) Drive-in Theatres
f) Golf Courses or Golf Driving Ranges

8.11.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio, building height, and yards are shown on Table 4, Special Zone Regulations, unless otherwise specified on the Zoning Maps.

8.12 WC: WASCANA CENTRE ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to recognize lands controlled under The Wascana Centre Act.

SECTION 9

GENERAL USE REGULATIONS

9.1 DEVELOPMENT STANDARDS FOR DISCRETIONARY USES

An individual applying to the City of Regina for approval under the discretionary use procedure shall be subject to the following general development standards. These general development standards shall be taken into account during the evaluation of the application and shall form the basis for specific development standards for the application as specified by City Council.

1. The applicant shall indicate how the proposed development will be sited on the property in question, in compliance with the requirements of this Bylaw and with all other relevant development policies and regulations.

2. The applicant shall provide an appropriate interface between the proposed development and the surrounding area by;

   a) Ensuring that the form and location of any buildings on the site reflects the character of adjacent buildings;

   b) Providing landscaping, buffering and screening to enhance the site, to create a sensitive interface with adjacent development and to reflect the nature of the streetscape;

   c) Accommodating the required mitigating measures to deal with any potentially inappropriate environmental conditions which may be created or compounded by the development (such as pollution, increase in wind velocity, sun-shadows and spills of hazardous materials);

   d) Providing sufficient amenities (recreational, aesthetic) to address the needs of the individuals utilizing the development.

3. The applicant shall provide the necessary information which will demonstrate that the proposed development will not conflict with established traffic circulation patterns surrounding the lot, and will be capable of being provided with all necessary public services and utilities (such as communications systems, power services, public transit, sewer and water services, and emergency service).

4. The applicant shall ensure that the development conforms to specific uses and plans as contained in the material approved by City Council.

5. The applicant shall sign and implement a letter of commitment agreeing to the development standards as set forth in City Council's approval.

6. An approved discretionary use shall be initiated within 2 years of the date of Council approval, or upon expiration of that period, said approval shall cease to be valid.

9.2 ACCESSORY USES

1. Any use accessory to a lawful use is a permitted use.

2. Where any building or structure on a site is attached to a principal building on the site by a roof, an open or enclosed structure above grade, a floor or a foundation which is above grade, or any structure below grade allowing access between the buildings such as a parking garage or a corridor or passageway connecting the buildings, it is a part of the principal building and is not an accessory building. Notwithstanding the foregoing, attached garages or carports shall not be subject to the rear yard setback requirement, but shall comply with Section 9.2.5 of this Bylaw.

3. An accessory building or structure shall not exceed 4.0 metres nor one storey in height in any residential zone.

4. No accessory building shall exceed 75 square metres in gross floor area in any residential zone.

5. Garages or carports located in the rear yard shall not be located closer than 1.5 metres to any lane used for direct access; closer than 4.0 metres to any flankage street used for direct access, but in no case closer than 600 millimetres to any side or rear lot line. Notwithstanding the above, where access is provided directly from a street, no garage or carport shall be located closer than 5.5 metres from any sidewalk, or where there is no sidewalk, 5.5 metres from the curb.

6. Accessory buildings located in the rear yard other than garages or carports shall not be located closer than 600 millimetres to any side or rear lot line.

7. Detached accessory buildings shall be located a minimum of 1m from a principal building.

8. A car wash, a motor vehicle sales lot, a service station or a gas bar may not be considered an accessory use to a vehicular repair establishment except where those uses are listed as a principal use in the zone.

9.3 PUBLIC USES

1. This Bylaw permits the use of land or the use, construction or reconstruction, of a building or structure for the purpose of public service of the City or any public undertaking of a public utility commission, or any other board or commission of the City or the Province of Saskatchewan established or exercising authority under any general or specific statute of Saskatchewan, and any committee or local authority established by bylaw of the City, provided that:

   a) such use, building or structure shall comply with the applicable height, floor area ratio, and yard regulations;

   b) there shall be no exterior storage of goods, materials or equipment in any Residential zone;

   c) such building or structure shall be designed and maintained in general harmony with the buildings and structures in that zone.

2. Notwithstanding the provisions of Section 9.3.1a), uses specifically permitted in the Institutional Zone or Public Service Zone shall only be permitted in that zone.

9.4 SIGHT TRIANGLE

Subject to the provisions of City of Regina Traffic Bylaw #8200, on any corner lot in all zones except Commercial and Industrial Zones, a fence, hedge, shrub, bush, tree or other plant or structure shall not be erected or permitted to grow to a height greater than 750 millimetres above grade of the streets that abut the lot within the triangular area bounded by the street lines and a line joining points on the street lines a distance of 7.5 metres from their point of intersection and within the triangular area bounded by the edges of a sidewalk and driveway and a line joining points on the sidewalk and driveway edges a distance of 1.5 metres from their point of intersection. No sign will be permitted within or overhanging the required sight triangle.

9.5 PERMITTED YARD ENCROACHMENTS

1. The following encroachments on a yard shall be permitted:

   a) In Residential or Institutional Zones, window sills, belt courses, cornices, eaves, gutters, bay windows, chimney breasts and similar non-structural architectural features may project a distance of 600 millimetres into any required yard but not closer to any lot line than 150 millimetres. The total area of all such projections taken on a horizontal plane through the widest portion of such projections shall not exceed 2 square metres.

b) Fire escapes may project 1.5 metres into any required yard but not closer to any lot line than 150 millimetres.

c) Uncovered platforms, balconies, or steps may project 1.5 metres into any required front or rear yard. Uncovered platforms or decks 300 millimetres or less in height do not require setbacks. Wheelchair ramps may encroach into any required yard.

d) Porches having a floor area not exceeding 3 square metres may project 1.5 metres into a required front yard.

e) In all zones except Residential and Institutional Zones there shall be no restriction on the encroachments listed in this section except in cases where there is an abutting Residentially zoned lot. In such case all the provisions of this section must be met insofar as they apply to the side yard or rear yards between the non-residential use and the residentially zoned lot.

9.6 FRONT AND REAR YARDS IN RESIDENTIAL ZONES

In determining the percentage of lot area within the front or rear yard in Residential Zones any area adjacent to the front or rear yard, but not included within any defined yard area shall be treated as being within that adjacent front or rear yard.

9.7 SIDE YARD REQUIREMENTS FOR DWELLINGS WITHOUT PUBLIC LANES

1. The side yard requirements for detached, semi-detached and detached zero lot line dwelling units without a carport or attached garage on lots without access from the rear or side of the lot to a public lane or street shall be:

a) for detached dwelling units the minimum width of one side yard shall be 2.5 metres and the total width of both side yards shall be 3.7 metres.

b) for semi-detached and detached zero lot line dwelling units the minimum width of one side yard shall be 2.5 metres.

9.8 SIDE YARD REDUCTIONS FOR DWELLINGS

1. The minimum width of side yards appurtenant to a detached, semi-detached, duplex, triplex, fourplex, converted dwelling, rooming house or House Form Commercial/Residential Building according to Table 1 - Dwelling Unit Regulations, may be reduced to no less than is shown on the following Table of Side Yard Reductions provided that:

a) the lot containing or intended to contain the dwelling is of sufficient area to be used for the intended use accrding to Table 1 - Dwelling Unit Regulations of Section 13;

b) the lot is shown to have been separately assessed by the City as one lot prior to the passing of this amending Bylaw or is shown to be part of a separately assessed parcel, which part, when taken from that assessed parcel, does not leave a lot with less area or side yards than is required according to Table 1 - Dwelling Unit Regulations of Section 13 in respect of any existing use thereof;

c) the lot is shown to have been recorded as a separate lot in the Land Titles Office for the Regina Land Registration District prior to the passage of this Bylaw;

TABLE OF SIDE YARD REDUCTIONS

LOTS HAVING FRONTAGE OF	SINGLE SIDE YARD	TOTAL SIDE YARDS
7.5m up to but excluding 8.0m	400mm	1.2m
8.0m up to but excluding 8.5m	550mm	1.4m
8.5m up to but excluding 9.0m	700mm	1.6m
9.0m up to but excluding 9.5m	850mm	1.8m
9.5m up to but excluding 10m	1000mm	2.0m

9.9 SITE COVERAGE IN RESIDENTIAL ZONES

In determining the maximum permitted site coverage of floor area ratio in residential zones, other than the R7 - Mobile Home Zone, the area of any atrium incorporated into a dwelling unit shall not be included for the purposes of site coverage.

9.10 PROVISION OF PRIVATE AMENITY SPACE FOR DWELLING UNITS

Private amenity space shall be provided for any lot containing more than four dwelling units at the rate of 4.6 square metres per dwelling unit.

9.11 FRONT YARD REDUCTIONS

Notwithstanding the minimum depth of front yard required according to this Bylaw, where a lot is situated between two lots each of which contains a principal building which projects beyond the standard required front yard depth, the front yard required on the said lot may be reduced to an average of the two established front yards on the adjacent lots.

9.12 NOISE

1. The noise level provisions of this Bylaw shall be measured in terms of Ldn, which is a technical means of determining the average level of noise at any location over a 24 hour period. The Ldn measurement provides for a more stringent noise requirement during the normal sleeping period of 10 decibles lower than the daytime standard, as detailed in this Section.

2. No sound shall be emitted from any building, structure, or land or from any operation thereon that exceeds the standards identified in the following table when measured at any point on the boundary of the site:

Zone	Maximum Permitted Noise Level (in Decibels)	
	Daytime Period	Normal Sleeping Period (Ldn) (11:00 p.m. - 7:00 a.m.)
1. All Residential Zones	55	45
2. NC, LC, HC, HS, MAC, D, MS, ICC, TAS, CR Zones	60	50
3. All Other Zones	65	55
i) If within 30m of residential zone		
ii) Other cases	unlimited	unlimited

9.13 OBNOXIOUS USE

1. No use shall be conducted to emit any obnoxious or dangerous degree of heat, glare, radiation, fumes, odor or dust beyond the lot lines of the lot containing the use.

2. Except as otherwise specifically permitted, no highly flammable or explosive liquid, solid or gas shall be stored in bulk above ground provided that tanks or drums of fuel directly connected with heating devices or appliances on the same site are excluded from this requirement. Notwithstanding the foregoing, such storage shall comply with any other bylaw of the City concerning same.

3. Notwithstanding the above, propane gas may be stored above-ground where such storage is accessory to a principal use and shall be subject to the provisions of the City of Regina Bylaw Regulating the Storage of Flammable and Combustible Liquids.

9.14 OUTDOOR STORAGE AND MAINTENANCE

1. Where permitted the outdoor storage of raw materials, finished or partially finished products, fuel, salvage material, junk or waste on a lot shall be concealed from sight from adjacent lots, streets or lanes by a fence or wall of appropriate design, and sufficient dimension and position that such materials are not visible from any point 1.5 metres or less above grade on any adjacent lot, street or lane.

2. This section shall not limit the storage of fuel, oil or gas in tanks connected to a heating plant on the premises.

3. In no case shall any storage of materials as cited in this Section be permitted in the required front yard of any lot.

4. No storage of any kind shall be permitted in the side or rear yards of the IP - Prestige Industrial Service Zone, or in the side yard of the IA or IA1 - Light Industrial Zones.

9.15 REGULATIONS CONTROLLING THE ERECTION OF SATELLITE DISHES

The erection of Satellite Dishes shall be permitted in any zone subject to the following regulations:

1. Satellite Dishes shall not be located in any front yard, side yard or in the area defined by the extension of a side yard into a rear yard which is adjacent to a street.

2. Satellite dishes shall not be permitted to be erected on the roof of any principal building which is located within a residential zone and is less than three stories in height. Notwithstanding the above, satellite dishes the greatest portion of which are recessed into the surface of a roof shall be permitted.

3. Satellite dishes located in residential zones shall be erected so that the elevation of the lowest edge of the dish does not exceed the elevation of the soffit of the lowest eaves of the principal building on the lot on which the satellite dish is located.

4. In residential zones, satellite dishes shall only be erected on the roof of an accessory building where permitted under the height restrictions specified above, and where said accessory building is located entirely within a rear yard.

9.16 FRONTAGE FOR IRREGULAR LOTS

The minimum lot frontage on lots having a curved front lot line shall be measured as the distance between the side lot lines along a line drawn parallel to and 6 metres distant from a tan- gent to the midpoint of the front lot line as shown on Diagram 'A' - Frontage for Irregular Lots.

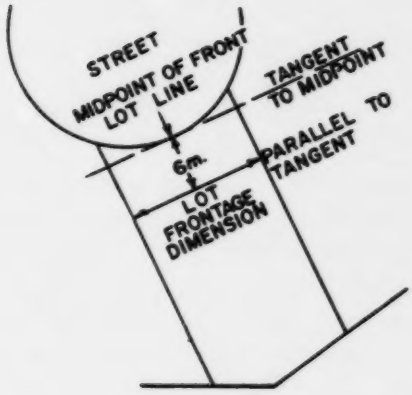


DIAGRAM 'A'- FRONTAGE FOR IRREGULAR LOTS

9.17 AMUSEMENT ARCADES

Amusement Arcades shall not be permitted as accessory uses except in a zone where they are listed as a principal use.

9.18 PARKING PROVISIONS

1. When any new development is commenced or when any existing development is enlarged, or use changed, provision shall be made for off-street vehicular parking spaces in accordance with the standards of this section.

2. The parking requirements for a single lot or a building containing a number of uses shall be the sum total of the parking requirements for each of the component uses. Notwithstanding the above, the use may be changed in a building whose parking provision is legally non-conforming provided that the parking requirement specified in this Bylaw for the new use does not exceed that of the existing use.

3. NUMBER OF SPACES REQUIRED

Use of Building or Lot	Minimum Number of Parking Spaces
A. Residential Uses	
1. Apartment dwelling units - a) In R6 and MS Zones:	1.5 spaces per dwelling unit
b) In D Zones	No requirement
c) All other zones:	1 space per dwelling unit
2. Detached, Semi-detached, Duplex, Triplex, Fourplex, Converted and Townhouse dwelling units:	1 space per dwelling unit
3. Dwelling Units in House Form Commercial/Residential Buildings	See Section 9.18.11
4. Mobile Homes:	1 space per mobile home
5. Portions of Buildings with residential uses:	1 space per dwelling unit
6. Rooming Houses:	.5 space per rooming unit
7. Senior Citizens' Apartment Homes and Homes for disabled or handicapped:	
a) In D Zones	No requirement
b) All other Zones	0.2 spaces per dwelling unit
B. Institutional and Recreational Uses	
1. Auditoriums - Public assembly auditoriums including convention halls; gymnasiums; health, social, cultural or recreational halls; exhibition halls; trade union and lodge halls; private clubs; sports fields; ice and hockey rinks; and other recreational or amusement places:	1 space per 5 seating places for the public or 3 spaces per 10 square metres of gross floor area used by patrons, whichever is greater
2. Bowling Alleys:	3 spaces per alley

3.	Business, Technical or Commercial Schools, Community Colleges and Recreational Schools -	
	a) D Zones:	No requirement
	b) All other zones:	1 space per 100 square metres of gross floor area
4.	Churches -	
	a) D Zones:	No requirement
	b) All other zones:	1 space per 5 seating places
5.	Community Centres:	1 space per 20 square metres of gross floor area
6.	Curling Rinks:	8 spaces per sheet of ice
7.	Day Care Centres:	1 space per centre
8.	Eleemeosynary Institutions:	1 space per 100 square metres of gross floor area
9.	Elementary Schools:	1 space per classroom
10.	Fire Stations:	1 space per employee on maximum work shift
11.	Group Homes - Type 1 (Residential Care Home)	2 spaces per home
12.	Group Homes - Type 2 (Crisis Care Facility)	1 space per 6 beds
13.	High Schools:	5 spaces per classroom plus 1 space per 10 square metres of assembly room floor area
14.	Hospitals or other similar uses:	1 space per 100 square metres of gross floor area

15.	Museums, Art Galleries, Libraries and other similar facilities:	1 space per 50 square metres of gross floor area, but not less than 1 space per 20 square metres of the assembly room floor area of the largest assembly room within the building
16.	Nursing Homes:	1 space per 6 beds
17.	Sports Stadia -	
	a) less than 10,000 seats:	Same as auditorium standards in Section 9.18.3.B.1
	b) over 10,000 seats:	No requirement
18.	Universities or Colleges:	1 space per 200 square metres of gross floor area

C. Commercial Uses

1.	Animal Hospitals or Animal Shelters:	1 space per 100 square metres of gross floor area
2.	Auctioneering Establishments:	Same as auditorium standards in Section 9.18.3.B.1
3.	Bingo Halls	1 space per 3.1 seats
4.	Confectionery Stores -	
	a) D, TAR, CARC, NC, ICC, TAS and LC3 Zones:	No requirement
	b) All other zones:	1 space per 20 square metres of gross floor area
5.	Convenience Stores -	
	a) NC Zones and LC3 Zones	6 spaces for first $200m^2$ of gross floor area plus 1 space per $25m^2$ over $200m^2$ in gross floor area
	b) All Other Zones:	1 space per $20m^2$ in gross floor area

6.	Drive-in Restaurants:	1 space per 20 square metres plus an additional 5 car stack-up per drive-in window
7.	Funeral Homes:	1 space per 5 persons capacity for attending services
8.	Gas Bars:	No requirement
9.	Hotels -	
	a) D Zones:	1 space per 3 guest rooms
	b) All other zones:	1 space per guest room
10.	Liquor Stores:	1 space per 20 square metres of gross floor area
11.	Medical or Dental Laboratories:	1 space per 60 square metres of gross floor area
12.	Nightclubs -	
	a) D Zones:	No requirement
	b) All other zones:	Same as auditorium standards in Section 9.18.3.B.1
13.	Offices, banks or financial institutions -	
	a) D and LC3 Zones -	
	i) less than 325 square metres of gross floor area:	No requirement
	ii) for that portion in excess of the first 325 m^2 in gross floor area	1 space per 100 square metres of gross floor area
	b) Lots 11-30, both inclusive in Blocks 403 and 411 and Lots 1-20 both inclusive in Blocks 404 and 412, Plan Old 33, Regina Subdivision:	1 space per 100 square metres of gross floor area

	c) Lots 11-20, both inclusive in Block 123; Lots 1-10, both inclusive in Block 139; and E.17' of Lot 21, all of Lots 22-29, both inclusive, and the S.20' of Lot 30, all in block 200; all of the above in Plan Old 33, Regina Subdivision	i) No requirement for existing buildings being reconstructed.
	d) All other zones:	1 space per 60 square metres of gross floor area
14.	Pool Halls, Amusement Arcades -	
	a) D Zones:	No requirement
	b) All other zones:	1 space per 20 square metres of gross floor area
15.	Restaurants -	
	a) D Zones:	No requirement
	b) All other zones:	1 space per 5 seats
16.	Retail stores, grocery stores, personal service establishments, repair shops, home improvement centres, bakery shops -	
	a) D Zones -	
	i) less than 325 square metres of gross area:	No requirement
	ii) for that portion in excess of the first 325 m^2 in gross floor area:	1 space per 50 square metres of gross floor area
	b) TAS Zones -	
	i) less than 100 square metres of gross floor area:	No requirement
	ii) over 100 square metres of gross floor area:	1 space per 50 square metres of gross floor area
	c) ICC and CARC Zones:	1 space of 50 square metres of gross floor area

d)	WH Zone and Lots 1 - 10, both inclusive, in Blocks 77 and 124; Lots 21 - 40, both inclusive, in Block 183; Lots 1 - 20, both inclusive, in Block 184; Lots 26 - 40, both inclusive, in Block 200, Plan Old 33, Regina Subdivision; and uses other than retail (for retail uses, see Section 9.17.3.C.17f) on Lots 1 - 10, both inclusive, in Block 139 and Lots 11 - 20, both inclusive, in Block 123, Plan Old 33, Regina Subdivision	
	i) For the first 1000 square metres in gross floor area	1 space per 50 square metres of gross floor area
	ii) For that portion in excess of the first 1000 square metres in gross floor area	1 space per 100 square metres of gross floor area
e)	Retail Stores on Lots 1 - 10, both inclusive, in Block 139, Plan Old 33, and Lots 11 - 20, both inclusive, in Block 123, Plan Old 33 -	
i)	The main floor and the floor below grade in existing buildings:	No requirement
ii)	For entire new buildings and for floors other than the main floor and the floor below grade in existing buildings:	i) For the first 1000 square metres in gross floor area, one space per 50 square metres of gross floor area
		ii) For that portion in excess of the first 1000 square metres in gross floor area, one space per 100 square metres of gross floor area
f)	All other zones	1 space per 20 square metres of gross floor area
17.	Theatres:	
	a) D Zones:	No requirement
	b) All other zones:	1 space per 5 seating spaces

18. Vehicular Service Establishments:	3 spaces for first two service bays, 2 spaces for each additional service bay

D. Industrial Uses

1. Wholesaling, Manufacturing and Industrial Plants, Warehousing and Storage Buildings and Yards, Repair, Rental Servicing Establishments, Laundry or Drycleaning Plants and other similar industrial uses.	1 space per 3 employees on maximum work shift but not less than 1 space per 150 square metres of gross floor area

4. Council may, at its discretion, waive all or part of the parking requirements in D Zones in exchange for a payment-in-lieu of the waived spaces calculated on the basis of $7,000 per waived parking space.

5. Council may, at its discretion, waive all or part of the parking requirements in the WH Zones in exchange for a payment-in-lieu of the waived spaces calculated on the basis of $2,500 per waived parking space.

6. The parking requirements for a building containing a mixed-use in which the gross floor area devoted to non-residential uses exceeds 5000 square metres shall be reduced by 20% of the parking otherwise required to be provided for the non-residential uses.

7. Notwithstanding this section, when an existing building is reconstructed on Lots 11 to 20, both inclusive, Block 434, Plan Old 33, Regina Subdivision, no parking shall be required for the first 600 square metres of gross floor area of said building, and any parking shall only be required in accordance with the standards of this Section for the gross floor area in excess of 600 square metres.

8. Notwithstanding Section 9.18 when an existing building is reconstructed in the WH Zone, unless otherwise indicated the most stringent parking requirements of Section 9.18 shall be reduced by 50 per cent.

9. Where in this Bylaw parking facilities are required and/or provided for other than detached, semi-detached, duplex, triplex, fourplex, townhouse and apartment dwelling units, rooming houses and converted dwellings the following regulations shall apply:

   a) The parking area shall have visible boundaries and be suitably drained

b) The parking area shall, where possible, be located on the same lot as the use for which it is provided. However, where the parking area cannot be accommodated on the same lot as the use for which it is provided, it may, subject to the registration of a caveat as described in Section 9.18.9c), be located on a separate lot in a zone which allows caveated parking, and is located no further than 20 metres across a street or lane from the lot for which it is provided. Where off-site caveated parking is a discretionary use in a zone, the caveated parking area shall require the approval of City Council in conformance with Section 2.3 of this Bylaw.

c) Where the necessary off-street parking space is provided on a lot which is separate from that containing the building or structure for which it is provided, there shall be recorded in the office of the City Clerk, City of Regina, a registrable agreement between the City the owner of the lot on which the parking is located, and the owner of the lot for which the parking is required which agreement shall be binding on the said owner and his heirs and successors restricting the use of the said lot for the purpose of off-street parking so long as the use for which the parking is provided exists; and a caveat based on an agreement shall be registered against the said lots in the Regina Land Titles Office by the City.

d) The parking area shall be suitably paved and each parking space in the parking area shall be clearly demarcated.

e) The limits of the parking area shall be defined by a fence, curb or other suitable obstruction designed to provide a neat appearance.

f) Minimum parking stall and driveway sizes shall comply with Section 13, Table 5, Parking Area Standards of this Bylaw.

g) The location of vehicular approach ramps or driveways at the street line shall be no closer than 7.5 metres from the point of intersection of two property lines at a street intersection.

h) In the TAR, CARC, ICC and TAS zones, parking shall not be permitted in the front yard.

i) No parking shall be permitted in the front yard of the LC3 - Local Commercial shopping Street, or the IP - Prestige Industrial Zone.

10. Where in this Bylaw parking facilities are required and/or provided for detached, detached zero lot line, semi-detached, duplex, triplex, fourplex, townhouse, apartment dwelling units, rooming houses and converted dwellings the following provisions shall apply:

a) The parking area shall be provided on the same lot.

b) Minimum parking stall and driveway sizes shall comply with Section 13, Table 5 - Parking Area Standards of this Bylaw.

c) Parking area for lots containing more than 4 dwelling units shall be suitably paved and each parking space in the parking area shall be clearly demarcated.

d) The location of vehicular approach ramps or driveways at the street line shall be no closer than 7.5 metres from the point of intersection of two property lines at a street intersection.

e) Parking spaces may be located in the front yard provided that the said parking spaces are located on a driveway leading to a garage, carport or parking pad located in the side or rear yard. The number of spaces which may be located in the front yard is limited to the capacity of the garage, carport or parking pad, or two spaces, whichever is greater. Vehicles parked in tandum shall be considered to constitute one parking space.

f) No parking shall be permitted in the front yard of lots which are provided with rear lane access, unless there is a garage, carport or parking pad located in the side or rear yard with access provided from the front yard. In such a case, the provisions of Subsection 9.18.10 e) shall apply.

g) No more than 2 parking spaces shall be permitted to be located in the front yard on a circle drive unless said circle drive leads to a garage, carport or parking pad located in the side or rear yard. In such cases, the provisions of Subsection 9.18.10 e) shall apply.

h) Where a lot has no rear lane access, has insufficient room to provide access from the front yard to the rear or side yards and does not have and cannot accommodate parking spaces in the rear or side yards, two parking spaces may be located in the front yard.

i) Parking spaces which are located entirely or in part in the front yard shall not exceed 20 square metres in area.

j) No parking shall be permitted in the front yard of an apartment building.

11. Nothwithstanding Section 9.18.3 of this bylaw, when an existing house form building is converted to a House Form Commercial/Residential Building usage, no parking shall be required for the new use above and beyond that which was required for the said building prior to this change of use. However, all parking stalls in existence on the lot prior to this change in use shall be maintained.

12. Where provided for any use other than detached, semi-detached, duplex, triplex, fourplex, converted dwelling units and rooming houses, all principal use or accessory use parking areas shall be screened along the entire parking area boundary by landscape screening, and such parking area landscaping shall be integrated with any adjacent landscaping and with any adjacent pedestrian circulation routes.

13. Notwithstanding Section 13, Table 5 - Parking Area Standards of this Bylaw, in all zones, a minimum of 2% of all required parking spaces shall be provided in the form of handicapped parking spaces, with a minimum stall width of 3 metres and a minimum area of 17 square metres. These spaces shall be located as close as possible to a building entrance, and shall be clearly designated with signage indicating their purpose as handicapped parking stalls.

9.19 LOADING PROVISIONS

When any new development occurs or when any existing use is changed, enlarged or increased in capacity, off-street vehicular loading and unloading spaces with access from a public roadway or lane shall be provided and maintained in accordance with the following provisions:

1. The minimum size of an off-street loading space shall be as shown in Section 9.19.6. All off-street loading spaces shall have a minimum width of 3 metres.

2. Loading spaces must be located either within or abutting the building containing the use.

3. No loading spaces shall be provided within a minimum front yard.

4. No loading spaces shall be provided within the minimum side yard on a lot within the IP - Prestige Industrial Service Zone or within or abutting a Residential Zone.

5. Loading spaces provided within the minimum side yard shall be open and uncovered.

6. The required off-street loading spaces are:

REQUIRED SPACES

Building Gross Floor Area	With Loading Bay Area of 17m^2	With Loading Bay Area of 34m^2 and Minimum Clear Height of 4.25m
a) For retail stores, restaurants, personal service establishments and repair shops, entertainment establishments and all industrial and manufacturing uses		
i) 100 to 800 square metres	1	0
ii) 801 to 1400 square metres	2	0
iii) 1401 to 2500 square metres	0	2
iv) 2501 to 10,000 square metres	0	2 plus 1 for each additional 2500m^2 or fraction thereof
v) 10,000 or more square metres	0	5 plus 1 for each additional 400m^2 or fraction thereof
b) For office buildings, places of public assembly, hospitals, nursing homes, clubs, public utilities, or schools		
i) 100 to 1,400 square metres	1	0
ii) 1,400 to 3,000 square metres	0	1
iii) 3,000 to 6,000 square metres	1	1
iv) 6,000 to 10,000 square metres	2	1
v) 10,000 to 15,000 square metres	3	1
vi) 15,000 to 20,000 square metres	3	2

REQUIRED SPACES

Building Gross Floor Area	With Loading Bay Area of $17m^2$	With Loading Bay Area of $34m^2$ and Minimum Clear Height of 4.25m
vii) 20,000 or more square metres	4	2

viii) For development exceeding 27,000 square metres of gross floor area, additional loading spaces may be required at the discretion of City Council.

c) Where a day care does not have an adjacent parking lot of sufficient safe, on-street parking capacity to serve as a day care loading zone without impeding the flow of traffic, an on-site loading zone shall be required. These loading areas shall be separate from the on-site staff parking stall and the number required will vary in accordance with the following table.

Maximum Capacity of the Day Care Centre	Loading Space Requirement
10 - 15 children	2 stalls
16 - 30 children	3 stalls
31 - 45 children	4 stalls
46 - 60 children	5 stalls

7. Every off-street loading space and access thereto shall be hard surfaced if the access thereto is from a street or lane which is hard surfaced. Where hard surfacing is provided or required it shall be constructed of concrete, asphalt or a similar durable, dust-free material.

8. Where the use of an existing building is changed and the building is not enlarged or increased in capacity, but does not and cannot provide the required off-street loading spaces, the requirements of this section shall not apply, and no off-street loading space shall be required.

SECTION 10

SPECIAL USE REGULATIONS

10.1 RESIDENTIAL OFFICES

Residential Offices are a permitted use in all residential zones subject to the following regulations:

a) There is no outside storage of material or equipment;

b) Only residents of the dwelling unit are employed in the office;

c) The use is restricted to the dwelling unit or accessory buildings;

d) No more than one business vehicle shall be parked at or in the immediate vicinity of the business.

e) There are no signs, either on or off the property, which display any form of advertising related to the residential office except such advertising that is painted on the one business vehicle permitted to be parked on or in the immediate vicinity of the lot.

10.2 HOME OCCUPATIONS

10.2.1. Home occupations are a permitted use in all residential zones subject to the following regulations:

a) Only residents of the dwelling unit are employed in the occupation being operated at the dwelling unit;

b) The use is restricted to the dwelling unit or accessory building;

c) There is no outside storage of material or equipment;

d) The peace, quiet and dignity of the neighbourhood shall not be disturbed by dust, noise, smell, smoke or traffic generated by the use;

e) There shall be no mechanical equipment used except when ordinarily used for housekeeping purposes, or for any purpose normal to or reasonably consistent with the use of the dwelling;

f) No more than one business vehicle shall be parked at or in the immediate vicinity of the business.

g) Parking of vehicles of employees hired for off-site jobs shall not be permitted at or in the vicinity of the business.

h) There are no signs, either on or off the property, which display any form of advertising related to the home occupation except such advertising that is painted on the one business vehicle permitted to be parked on or in the immediate vicinity of the lot.

i) There shall be no retail sales from any portion of the property.

10.2.2. PROCEDURE FOR THE PROCESSING OF HOME OCCUPATION AND RESIDENTIAL OFFICE APPLICATIONS.

a) Applications for Home Occupation or Residential Office development permits are submitted to the Development Officer for consideration as permitted uses in all residential zones.

b) The Development Officer or his designate reviews the application for compliance with Section 10.1 or 10.2 respectively of this Bylaw.

c) If the application complies with these regulations, a Home Occcupation or Residential Office development permit is issued. A declaration by the applicant stating that all of the applicable regulations will be adhered to will form part of the permit.

d) The applicant then proceeds to the City Treasurers' Department with the approved Home Occupation or Residential Office development permit to apply for a license. An annual license fee is then collected by the Treasurers' Department.

e) An inspection by a City Buildings and Properties Department inspector will be conducted following the initiation of the operation to ensure compliance with the Home Occupation or Residential Office development permit.

f) Inspections shall be conducted in reaction to complaints. Should, as a result of this inspection, the home occupation be deemed not to be in compliance with Section 10.1 and 10.2 of this Bylaw, the Development Officer would then direct the operator to make necessary changes to ensure compliance. Failure to do so could result in the Home Occupation or Residential Office development permit being revoked.

g) Should the individual be aggrieved by the decision of the Development Officer which resulted from the inspection undertaken in Subsection f), he may appeal said decision to the City of Regina Development Appeals Board.

h) Any individual may appeal a decision to either approve or deny an application for a Home Occupation or Residential Office development permit subject to the requirements of the Planning and Development Act, 1983 to the City of Regina Development Appeals Board.

10.3 GROUP HOMES

Group Homes shall be subject to the following regulations:

a) No Group Homes - Type 1 (Residential Care Home) or Group Homes - Type 2 (Crisis Care Facility) shall be permitted to locate within 300m of another Group Home facility. This distance shall be measured as the shortest distance between the lot lines of two sites.

b) Where a Group Home - Type 2 (Crisis Care Facility) is located in an R4, R4A or R6 zone:

i) The maximum physical size of the Group Home must correspond with the size and character of dwellings which are located in the immediate area of the Group Home.

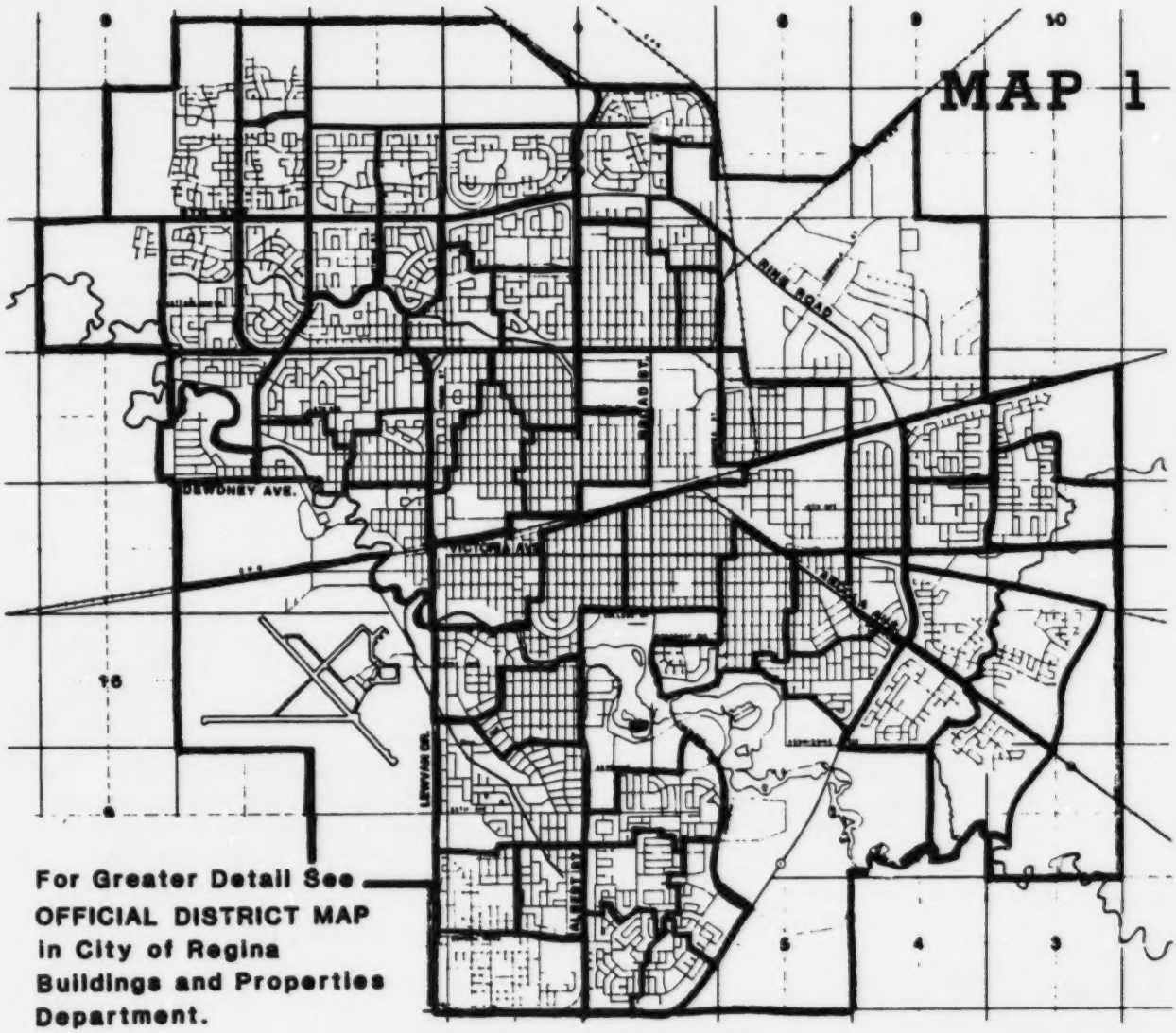
ii) The number of residents occupying the Group Home must correspond with that associated with the normal usage of dwellings located in the immediate area of the Group Home.

iii) The minimum allowable lot frontage for a lot containing a Crisis Care Facility shall be 15m.

iv) The most stringent lot area, coverage, frontage and yard regulations for a detached unit in the Residential Zone in which the Group Home is located shall apply. Any additions to the original building must also comply with these regulations.

c) i) Where Group Homes - Type 1 (Residential Care Home) are allowed in a zone, one facility per sponsoring agency per district as shown on Map 1 below, shall be permitted. In addition, City Council may, at its discretion, allow the development of a second Group Home - Type 1 (Residential Care Home) per sponsoring agency per district as shown on Map 1 below.

ii) Where Groups Homes - Type 2 (Crisis Care Facility) are allowed in a zone, they shall be limited to one per sponsoring agency per district as shown on Map 1 below.



For Greater Detail See OFFICIAL DISTRICT MAP in City of Regina Buildings and Properties Department.

10.4 DAY CARE CENTRES

Day care centres shall be subject to the following regulations:

a) The most stringent lot area, coverage, frontage and yard regulations of the zone in which the use is located shall apply.

b) An individual proposing to use any facility as a day care centre shall apply for and receive health and fire certificates before a development permit may be issued.

c) Day care centres shall be subject to the following Indoor Play Space Requirements:

   i) Each day care facility shall provide Indoor Play Space at the rate 3.25 square metres for each child being cared for who is less than six years of age and at the rate of 2.3 square metres for each child being cared for who is six years of age or older.

   ii) Any room used as a play space shall have least half of its walls' height above ground level.

   iii) Any room used as a play space shall be equipped with windows the glass surface area of which is not less than 10% of the room's floor area. A windowless room may be considered part of the play space if it adjoins a room with windows on the condition that 60% of their dividing side is free and open. The adjoining room shall be no greater in area than the room having the windows.

d) Day care centres shall be subject to the following Outdoor Play Space Requirements:

   i) All day care centres shall be required to have an Adjacent Outdoor Play Space allowing a minimum of 7 square metres of usable open space per child cared for.

   ii) Outdoor Play Spaces, with the exception of school yards, shall be enclosed at all times by a well maintained fence with a minimum height of 1.2 metres. The fence shall present an interior surface making it non-climbable and all gates that give access to the outdoor play space shall be locked at all times.

   iii) Where a day care centre fronts upon an arterial street, the outdoor play space shall be located to the sides and to the rear of the building and shall not be permitted to be located in the front yard.

iv) Where a day care centre is located on a corner lot at the intersection of two arterial streets, the outdoor play space shall be located in the rear yard of the structure and/or in the side yard away from the arterial street.

v) Where a day care centre is accessory to a multiple housing project, it must either have its own privately fenced play area, or where communal play area will be utilized in place of the private play area, it must be sufficiently fenced to comply with this Bylaw.

e) Day care centres shall provide parking and loading areas in compliance with Sections 9.18 and 9.19, of the Bylaw.

10.5 PLANNED GROUPS OF DWELLING UNITS

10.5.1 Notwithstanding any other provisions of this Bylaw, a Planned Group of Dwelling Units shall be subject to the following regulations. Planned Groups of Dwelling Units shall consist of only the permitted and discretionary uses in the applicable residential zone.

Regulations	Planned Groups of Dwelling Units - R1A, R3, R4, R4A, TAR, CARC, RM Zones	Planned Group of Dwelling Units - R1, R2, R6, R8, MS Zones
Minimum Required Lot Area	120m^2 per dwelling unit	Total of Minimum lot area otherwise required for each dwelling unit.
Maximum Permitted Site Coverage	50%	50%
Maximum Permitted FAR.	Maximum permitted floor area ratio otherwise required for each dwelling unit. Where more than one type of dwelling unit is contained in the planned group, the maximum floor area ratio shall apply.	Maximum permitted floor area ratio otherwise required for each dwelling unit. Where more than one type of dwelling unit is contained in the planned group, the maximum floor area ratio shall apply.
Minimum required Front Yard Setback	6m or average of setbacks on adjacent lots, whichever is less.	6m

Minimum required Rear Yard Setback	1/4 of height of the principal building abutting rear lot line, but no less than 1.2m	3m
Minimum required Side Yard Setbacks	1/4 of the height of the principal building abutting the side lot line, but no less than 1.2m	Corner lot - 6m on side abutting street - other side 3m Other cases - 3m

10.5.2 Parking and Loading provisions shall be in accordance with Sections 9.18 and 9.19, of this Bylaw.

10.5.3 The lot area of the planned group of dwelling units shall not exceed the provisions of the applicable Persons Per Hectare Zone.

10.5.4 Provision of Private Amenity Space shall be provided subject to Section 9.10, of this Bylaw.

SECTION 11

EXCEPTIONS

11.1 BUILDING AND STRUCTURE HEIGHT

Any height limitations of this Bylaw shall not apply to church spires, belfries, cupolas, penthouses and domes which are not used for human occupancy; nor to chimneys, ventilators, skylights, watertanks, bulkheads, radio, television or microwave towers and antenna and similar features or necessary mechanical appurtenances usually situated above the roof level. Such features, however, shall be erected only to such height or area as is necessary to accomplish the purpose they are to serve.

11.2 YARD REQUIREMENTS IN COMMERCIAL ZONES

1. Buildings located in Commercial Zones on lots which are adjacent to a Residential Zone shall be so located as to provide a side yard adjacent to the Residential Zone at least one-half the height of the vertical wall of the building to a maximum of 3 metres, and shall be so located as to provide a front yard of no less depth than one-half the front yard required for a building on the adjacent residential lot.

2. For buildings containing dwelling units the sideyard requirement for any single yard shall be at least one-quarter the height of the vertical wall of the building to a maximum of 3 metres, except where there are no windows located on the building wall facing such side yard no side yard shall be required.

11.3 SIDE YARD VARIANCE

The minimum width of a required side yard abutting a lane or road right-of-way may be reduced by one- half of the width of an abutting lane or road right-of-way, but in no case to less than 450 millimetres, provided that the total width of all side yards on the lot otherwise required shall be maintained in all zones except in the NC, LC1, LC2, MAC1, MAC2, D and TAS Zones.

11.4 REAR YARD VARIANCE

The minimum depth of rear yard required in this Bylaw may be reduced by the amount of one-half the width of any abutting public lane or utility right-of-way, but in no case shall the rear yard be less than 3.5 metres in any Residential Zone, provided that 25% of the total lot area is contained within the rear yard.

11.5 EXTENSION OF BUILDINGS INTO REAR YARDS

The minimum required rear yard depth may be reduced for apartment buildings or for uses in the MAC Zones by extension of building or a portion thereof into the otherwise required minimum rear yard providing that the actual resulting rear yard depth is no less than 1.5 metres and providing that an area equivalent to the area of the otherwise required rear yard which is covered by the extended building, is added to the area of the required minimum side yard for an apartment building, or is added to the area of the required minimum front or side yard in MAC Zones.

11.6 AREAS SPECIFICALLY DESIGNATED FOR A PARTICULAR USE

This designation recognizes an existing special use approved under the provisions of Bylaw No. 6600 (Section 10.11) and carried forward in Bylaw No. 7878 for a Particular Use at a Particular Location. Uses listed in this Section have been carried forward from the former Bylaw and shall not as a result of the passage of this Bylaw be non-conforming, but shall be a permitted use at their specific location as listed herein, but the use shall not be changed except in accordance with this Bylaw.

Use	Lot	Block	Plan	Subdivision
Public Parking Area	9 & 10	403	Old 33	Regina
Public Parking Area	11	19	DV 270	Broder's Annex
Real Estate and/or Law Office	40	361	Old 33	Regina
Public Parking Area	S.24.98' of 9	90	Old 33	Regina
Private School	1 except S. 35'	600	AP3598	Lakeview
Personal Service Establishment	A portion of the NW 1/4 of 19-17-19-W2M, in Regina Subdivision, in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada, as the same is shown on a plan of record in the Land Titles Office for the Regina Land Registration District as Plan No. 16074, being a portion of the main floor of the existing building located at 2330 - 2344 Saskatchewan Drive, said portion being located at the most south easterly corner of said building and being 136.563 sq. m. in area			
Retail Store	22	349	Old 33	Regina
Restaurant & Dwelling Unit in the same building	24 & 25	5	AY3193	Mount Royal

Use	Lot	Block	Plan	Subdivision
School and Gymnasium Use	B		60R07552	South Lakeview
Mixed Use Building	30	404	Old 33	Regina
Offices for Administration Sales, General Business	W. 1/2 of 11	409	Old 33	Regina
Offices for Administration Sales, General Business	11, S. 1/2 of 12	433	Old 33	Regina
Offices for Administration Sales, General Business	N. 5' of 14, all of 15, S. 10' of 16	460	Old 33	Regina
Eleemosynary Institution	15	210	Old 33	Regina
Private Club	21 - 24	4	G384	Arcola
Senior Citizens Apartment	18 & 19	99	DV4404	Regina
Office and Accessory Storage Within the Existing Detached Dwelling	1	332	DV4420	Regina
Office and Accessory Storage Within the Existing Detached Dwelling.	2	332	DV4420	Regina
Antique furniture retailing within the existing house-form building	S. 1/3 of 6 and N 1/3 of 7	457	Old 33	Regina
Licensed Cocktail Room	A, B	7	FS3415	Rosemont South
Office	1,2	401	Old 33	Regina
Office	H		80R1174	Hillsdale Commercial

Use	Lot	Block	Plan	Subdivision
Office	26-33	361	Old 33	Regina
Office	20	402	Old 33	Regina
Bowling Alley	N.170'/E PLN of Parcel A	24	FZ5438	Rosemont North
Bowling Alley	B		73R49850	Glencairn

11.7 AREAS SPECIFICALLY DESIGNATED FOR A PARTICULAR USE FOR A LIMITED TIME

In addition to those uses permitted and/or discretionary in a particular zone as applied to a specific site, the following uses shall be permitted in the following locations. Only the use of land for such purpose is permitted by this Section and the most stringent site regulations established herein for such use and/or zone within the zone in which the use is otherwise situated shall be adhered to.

Use	Lot	Block	Plan	Subdivision	Limited Time
Parking Lot	4-7, S1/2 of 8 and 9 and 10	434	Old 33	Regina	5 years commencing March 13, 1985
Lumber Yard	Portion of Parcel BROK 4620201 (Marathon Realty Company Lease) lying to the east of an extension of a line drawn coincident with the most easterly wall of the most westerly building being a portion of the NW 1/4 of 24-17-20-W2nd as shown on Plan No. 16074.				3 year commencing December 30, 1984

SECTION 12

REGULATION OF SIGNS

12.1 SCOPE

No sign structure shall hereafter be erected, enlarged, changed, or structurally altered except in conformity with the Building Bylaw, Section 1.9 of this Bylaw, and the following regulations.

12.2 GENERAL REGULATIONS

Notwithstanding any other provision of this Bylaw, the following general regulations shall apply to the situations stated and shall govern the same:

1. SIGNS PERMITTED IN ALL ZONES

1. GOVERNMENT SIGNS

Signs erected by a duly constituted government body or organization solely for the purpose of public service of the City or any public undertaking of a public utility commission, or any other board or commission of the City or the Province of Saskatchewan established or exercising authority under any general or specific statute of Saskatchewan, and any committee or local authority established by bylaw of the City shall not be restricted.

2. ANIMATION AND ILLUMINATION OF SIGNS

a) Animation and Illumination of signs shall be permitted in all zones, with the exception of residential zones other than RM - Residential-Mixed Use, provided that:

i) Such signs shall be erected in a manner so as not to be visible from contiguous residential premises, and any illumination therefrom is to be deflected away from any adjacent residential zones and there is to be no direct illumination so as to impede vehicular traffic or interfere with traffic signals.

ii) Electric illumination only is permitted and shall be constructed in accordance with the provisions of the Electrical Regulations of the Province of Saskatchewan.

iii) Where a sign is illuminated, and said illumination is in operation, either the outer edge of the faces of said sign, or all those portions of the sign other than the outer edge shall be continually lit.

iv) Notwithstanding the above, an illuminated sign which is not continually lit, may be located on the same support structure as a continually illuminated sign, provided that the continually lit sign has a surface area which is equal to or greater than the surface area of the other sign.

3. CONSTRUCTION SIGNS

Signs signifying the impending development of a property or the construction of a building shall be permitted in any zone provided that such signs shall be temporary only, and shall conform to the provisions of the National Building Code.

4. REAL ESTATE SIGNS

Signs pertaining to the sale, lease or rental of a property or building shall be permitted in any zone provided that:

a) Such signs shall be erected on the property to which it pertains.

b) Such signs shall comply with all of the restrictions of its sign type.

5. DIRECTIONAL SIGNS

Directional signs of either ground, wall or projecting type may be erected without a permit in any zone provided that such signs shall not exceed 0.9 square metres in area.

6. ADDRESS DESIGNATION

Address designations for any building or structure which denote only the numerical civic address and/or occupant may be erected without a permit provided that:

a) Such signs shall not exceed 0.6 square metres in area.

b) Such signs when illuminated and in operation, shall be continually lit.

7. CANOPY OR AWNING SIGNS

Canopy signs or awning signs shall be permitted in all zones provided that:

a) The minimum clearance from the ground shall be 2.5 metres

b) No portion of the canopy or awning sign may be closer than 600 millimetres to a vertical line from the curb face.

12.2.2 SPECIFIC ZONE SIGN REGULATIONS

The following specific zone sign regulations shall apply:

SPECIFIC ZONE SIGN REGULATIONS

ZONES	REGULATING FACTOR (MAXIMUM PERMITTED)	SIGN TYPE					
		FREE STANDING (GROUND) SIGN**	ROTATING SIGN	WALL SIGN	BILLBOARD	ROOF SIGN	PROJECTIN SIGN
All Residential (except the RM Zone) and Special Zones (for exceptions See Section 12.4.4)	Number Per Lot	1 Sign Per Street Frontage*	Not Permitted	1 Sign Per Lot	1. RR Zones see Section 12.3.1 2. Other Zones Not Permitted	Not Permitted	Not Permitted
	Surface Area (Each Face)	1. Residential Uses, House Form Commercial /Residential Buildings $0.5m^2$ 2. Other Uses - $1m^2$		1. Residential Uses, House Form Commercial/ Residential Buildings - $0.5m^2$ 2. Other Uses $1m^2$			
	Height	1.8m		Unrestricted			
RM, NC, LC, ICC, TAS and MS ZONES	Number Per Lot	1 Sign Per Street Frontage*	See Section 12.4.3	Unrestricted	Not Permitted	Not Permitted	Not Permitted
	Surface Area (Each Face)	$5m^2$	$5m^2$				
	Height	MS Zone - 8.5m All other Zones 5m	MS Zone 8.5m All other Zones 5m				
DOWNTOWN ZONES	Number Per Lot	1 Sign Per Street Frontage*	See Section 12.4.3	Unrestricted	See Section 12.3.1	See Section 12.3.2	See Section 12.3.3
	Surface Area (Each Face)	$10m^2$	$10m^2$				
	Height	10m	10m				
MAC1, MAC2, HC, DSC and all Industrial Zones	Number Per Lot	1 Sign Per Street Frontage*	See Section 12.4.3	Unrestricted	See Section 12.3.1	See Section 12.3.2	See Section 12.3.3
	Surface Area (Each Face)	$15m^2$	$15m^2$				
	Height	12m	12m				
HS Zone	Number Per Lot	1 Sign Per Street Frontage*	See Section 12.4.3	Unrestricted	See Section 12.3.1	See Section 12.3.2	See Section 12.3.3
	Surface Area (Each Face)	$24m^2$	$24m^2$				
	Height	14m	14m				

* See Section 12.4.1

**Free Standing (Ground) Signs shall be set back a minimum of 300mm from any property line.

12.3 SPECIAL REGULATIONS

12.3.1 BILLBOARDS

Notwithstanding any other provisions of this Bylaw, no person shall erect or cause to be erected, or permit a billboard sign save and except in accordance with the following:

i) PERMITTED LOCATION

Billboards shall be permitted only in MAC, HC, HS, DSC, D and Industrial zones, provided that such signs comply with this section of this Bylaw. Billboards are permitted on the same lot as a free standing sign. Notwithstanding the foregoing, billboards shall be permitted to be erected in portions of RR zones which abut zones permitting billboards.

ii) SUPPORT STRUCTURE

Structures for such signs shall be of vertical (cantilever) construction and where the back is visible, it shall be suitably painted or otherwise covered to present a neat and clean appearance.

iii) SET BACKS

No part of any billboard shall be closer to any street line than the front building line of the nearest building within 30 metres. When the sign is located between two buildings, both within 30 metres of the structure, no part of the said structure shall be erected closer to any street line than a line drawn from the corners of the two buildings nearest the street.

iv) DISTANCE BETWEEN SIGNS

a) Such signs on the same street which face the same traffic flow shall not be placed closer together than 90 metres.

b) Such signs can be double-faced and each side shall be considered as facing traffic flowing in the opposite direction.

c) At the intersection of two streets, double or single-faced signs at right angles to and therefore, facing traffic on one street may be situated closer than 90 metres to a similarly-positioned sign across the street at right angles to and therefore, facing traffic on the other street.

12.3.2 ROOF SIGNS

Notwithstanding any other provisions of this Bylaw, no person shall erect or cause to be erected, or permit a roof sign save and except in accordance with the following:

i) WHERE PERMITTED

One roof sign per premise shall be permitted in the MAC, HC, HS, DSC and Industrial Zones. Where the sign faces are back to back, in a common structure, it shall be construed to be a single sign.

ii) VISUAL APPEARANCE

All roof signs are to be erected in such a manner that the support structure, guy wires, braces, and all other secondary supports are not visible, so that the roof sign appears to be an architectural component of the building, unless otherwise directed by the Development Officer.

iii) No roof sign shall extend beyond the ends or sides of the building. The maximum height shall be 7.5 metres above the roof or parapet.

12.3.3 PROJECTING SIGNS

Notwithstanding any other provisions of this Bylaw, no person shall erect or cause to be erected, or permit a projecting sign save and except in accordance with the following:

i) Projecting signs shall be permitted only in MAC1,2, HC, HS, DSC, D and all Industrial zones. However, projecting signs shall not be permitted in lanes of any zone.

ii) PERMITTED NUMBER

a) One projecting sign is permitted per lot.

b) Where the frontage of a property along any one right-of-way exceeds 90 metres, two projecting signs are permitted.

iii) PERMITTED PROJECTION

A sign may project no more than 2.5m from the face of a building, but not closer to a vertical line from any curb face than 600mm.

iv) Projecting signs may not rise more than 2 metres above the top of the parapet.

v) SUPPORT

All projecting signs shall be installed or erected so that there are no visible sign support structures above the roof, building, face or wall, unless otherwise directed by the Development Officer.

vi) CANTILEVER SUPPORT

A cantilever support may rise 300 millimetres above the parapet, provided that where there is a space between the edge of the sign and the building space, such cantilever shall be enclosed.

vii) PERMITTED HEIGHT

The minimum clear distance of the projecting sign from the ground shall be 3.4 metres.

12.3.4 PORTABLE SIGNS

Notwithstanding any other provisions of this Bylaw, no person shall erect or cause to be erected, or permit a portable sign save and except in accordance with the following:

a) Portable signs shall be permitted in all zones with the exception of residential zones other than the RM - Residential Mixed-Use Zone.

b) No person, including the sign owner, shall display any portable advertising device or sign on the exterior of a building or lot without first obtaining a permit from the Director of Buildings and Properties.

c) No person, including the sign owner, shall display more than one portable sign for every 90 metres or part thereof of the longest property line adjacent to a street.

d) No part of a portable sign, including electrical cords, shall be located on a public roadway, including a city-owned right-of-way, boulevard or sidewalk.

e) Portable signs may be illuminated, in accordance with Section 12.2.1.2 of this bylaw, but shall not be animated.

f) All components of the portable sign excluding the trailer frame shall be in conformance with the Electrical Regulations of the Province of Saskatchewan.

12.3.5 RESIDENTIAL OFFICES AND HOME OCCUPATIONS

The use of signage to advertise Residential Offices or Home Occupation operations shall not be permitted.

12.3.6 BALLOON OR INFLATABLE ADVERTISING OR DISPLAY DEVICES

Notwithstanding any other provision of this bylaw, no person shall use a balloon sign or any other form of inflatable sign or display device save and except in accordance with the following:

i) Where Permitted

Such signs or devices shall be permitted only in DSC, HC, HS, LC1, LC2, MAC1, MAC2, MS and in all industrial zones.

ii) Permitted Number

No more than one such sign or device shall be used on a single lot, in addition to other permitted signage types.

12.4 EXCEPTIONS

12.4.1 ADDITIONAL GROUND SIGNS

In any zone except Residential and Special zones, where the street frontage exceeds 90 metres one additional ground sign may be erected for each additional 90 metres or part thereof, of the longest property line adjacent to a street.

12.4.2 COMBINING SURFACE AREAS FOR PERMITTED GROUND SIGNS

Where two or more grounds signs are permitted, the allowable surface area of the two signs may be combined into one sign.

12.4.3 ROTATING SIGNS

Except in Residential and Special Zones a rotating ground sign may be erected in place of an otherwise permitted ground signs.

12.4.4 SIGNS IN WC - WASCANA CENTRE AND PUD - PLANNED UNIT DEVELOPMENT ZONES

Notwithstanding any of the above, signs in the WC - Wascana Centre zone shall be regulated by the Wascana Centre Act, and those in the PUD - Planned Unit Development zone by the Regulations Controlling Planned Unit Development within the City of Regina, and by the Planning and Development Act, 1983.

SECTION 13

TABLES

TABLE 1

DWELLING UNIT REGULATIONS*

DWELLING UNIT OR BUILDING TYPE	MINIMUM LOT AREA (m^2)	MINIMUM LOT FRONTAGE (m)	MAXIMUM COVERAGE	MAXIMUM F.A.R.	MINIMUM YARDS*		
					FRONT (m)	REAR (m)	EACH SIDE (m)
Detached Dwelling Unit - R1, R2, R6 & R8 Zones	325	10.5	50%	0.75	R8 Zone - 5.5m Other Zones - 6	25% of lot area min. 5 m	1.2
Detached Dwelling Unit All Other Zones	250	7.5	50%	0.75	TAR, CARC Zones - 5 Other Zones - 6	25% of lot area min. 5 m	1.2
Semi-Detached Dwelling Unit	250	7.5	50%	0.75	TAR, CARC Zones - 5 Other Zones - 6	25% of lot area min. 5 m	Single Side 0 Total of two sides 1.2
Duplex Bldg.	R1, R2, R6 & R8 - 325 All other Zones 250	R1, R2, R6 & R8 - 10.5 All other Zones 7.5	50%	0.85	TAR, CARC Zones - 5 Other	25% of lot area min. 5 m Zones - 6	1.2
Fourplex and Triplex Bldg.	500	15	50%	0.85	TAR, CARC Zones - 5 Other Zones - 6	25% of lot area min. 5 m	1.2
Townhouse Dwelling Unit	120	4	50%	0.85	TAR, CARC Zones - 5 Other Zones - 6	25% of lot area min. 5 m	for end units 1.2
Apt. Bldg, & Senior Citizens Apts. (In all Zones but TAR and CARC) and Mixed Use Buildings in the RM zone	500	15	50%	3.00	6	25% of lot area min. 5 m	1/4 adj wall ht. to a max. 6m

DWELLING UNIT OR BUILDING TYPE	MINIMUM LOT AREA (m^2)	MINIMUM LOT FRONTAGE (m)	MAXIMUM COVERAGE	MAXIMUM F.A.R.	MINIMUM YARDS*		
					FRONT (m)	REAR (m)	EACH SIDE (m)
Converted Dwellings Rooming Houses in all Zones; House Form Commercial/Residential Buildings, Eleemosynary Institutions, Libraries and Private Schools in TAR and CARC Zones	250	7.5	50%	0.75	TAR, CARC Zones - 5 Other Zones - 6	25% of lot area min. 5 m	1.2
Mobile Home	400	12	50%	0.50	5	4	Refer to Section 4.9
Apartments, Low-Rise Apartments, Senior Citizens Apts. and Commercial Uses in TAR and CARC Zones	250	7.5	65%	**	5	0	0
Detached Zero Lot Line Dwelling Units	Corner Lots - 315 Other Cases - 250	Corner Lots - 10.5 Other Cases - 9	50%	0.75	5.5	25% of lot area min. 5	Single side 0*** Total of two sides -1.8***

* Refer to Sections 9.5, 9.6 and 11
** Refer to Sections 4.12 and 4.13
*** Refer to Section 4.9

TABLE 2
COMMERCIAL ZONE REGULATIONS

ZONE	MINIMUM LOT AREA (m2)	MINIMUM FRONTAGE (m)	MAXIMUM COVERAGE	MAXIMUM F.A.R.	MINIMUM YARDS				MAXIMUM HEIGHT (m)
					FRONT YARD (m)	REAR YARD (m)	ANY SINGLE SIDE YARD (m)*	TOTAL SIDE YARDS (m)	
CR	250	6	65%	2.0	4	25% of lot area	0	0	11
D	See Section D DOWNTOWN ZONE (section 5.2)								
DSC	750	25	65%	On Zoning Map	7.5	9	0	0	13
HC	750	22.5	65%	2.0	7.5	9	2.5	7	15
HS	1000	22.5	50%	2.0	7.5	15	2.5	7	15
ICC	250	7.5	75%	3.0	5	6	0	0	15
LC1, 2	250	6	65%	1.75	6	0	0	0	13
LC3	100	5.0	100%	2.0	0*	0	0	0	13
MAC1	250	6	90%	3.0	0	1/4 ht. of prin. bldg max. 6	0	0	15
MAC2	250	6	65%	3.0	7.5	1/4 ht. of prin. bldg max. 6	0	0	15
MS	250	6	65%	1.0	0	3***	0	0	15
NC	250	6	50%	1.0	6	25% of lot area	0	0	11
TAS	250	6	65%	1.75	5	1/4 ht. of prin. bldg. max. 6	0	0	**

*Refer to Section 11.2
**Refer to Section 5.13.3
***Refer to Section 5.11.4

TABLE 3

INDUSTRIAL ZONE REGULATIONS

ZONE	MINIMUM LOT AREA (m2)	MINIMUM FRONTAGE (m)	MAXIMUM COVERAGE	MAXIMUM F.A.R.	MINIMUM YARDS				MAX. HEIGHT OF PRINC.	MAX. HEIGHT OF ACCES.
					FRONT YARD (m)	REAR YARD (m)	ANY SINGLE SIDE YARD (m)	TOTAL SIDE YARDS (m)		
IA	500	15	50%	1.5	7.5	1/2 ht. of prin. bldg.	0	20% ave. width of lot max. 7.5	15	7
IA1	200	6	65%	3.0	0	1/4 ht. of prin. bldg.	0	0	15	7
IB	2000	30	75%	2.0	7.5	1/2 ht. of prin. bldg.	0	20% ave. width of lot max. 7.5	15	7
IB1	500	15	75%	2.0	0*	1/2 ht. of prin. bldg.	0	20% ave. width of lot max. 3	15	7
IC	4000	60	65%	2.0	15	1/2 ht. of prin. bldg.	0	20% ave. width of lot max. 7.5	15	7
IC1	750	25	75%	2.0	7.5	1/2 ht. of prin. bldg.	0	20% ave. width of lot max. 3	15	7
IIT	200	6	75%	1.5	0	1/4 ht. of prin. bldg.	0	0	12	7
IP	2000	30	50%	1.5	9	1/2 ht. of prin. bldg.	0	20% ave. width of lot max. 7.5	15	7
IT	500	15	75%	2.0	7.5	1/2 ht. of prin. bldg.	0	20% ave. width of lot max. 3	15	7
WH	500	15	90%	4.0	0	1/4 ht. of prin. bldg. to max of 6 m	0	0	15	7

* Refer to Section 6.2.3 1)

TABLE 4

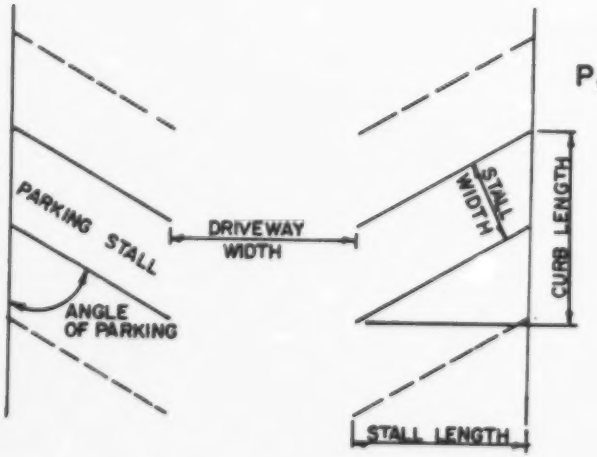
SPECIAL ZONE REGULATIONS

ZONE	MINIMUM LOT AREA (m2)	MINIMUM FRONTAGE (m)	MAXIMUM COVERAGE	MAXIMUM F.A.R.	MINIMUM YARDS				MAXIMUM HEIGHT (m)
					FRONT YARD (m)	REAR YARD	ANY SINGLE SIDE YARD (m)	TOTAL SIDE YARDS (m)	
AR FP PS	500	15	75%	0.75	7.5	25% depth of lot	3	6	15
I	500	15	75%	1.5	7.5	6	3	6	15
RR	2000	30	75%	2.0	7.5	1/2 ht. of prin. bldg	0	25% of ave. width lot to max. 7.5	15
UH	3500	40	17%	0.25	7.5	25% depth of lot	3	6	15

Table 5

Parking Area Standards

Angle of Parking	Minimum Required Stall Widths (in Metres)	Minimum Required Curb Length Per Car (in Metres)	Minimum Required Stall Length (in Metres)	Minimum Required Driveway Width (in Metres)
0	2.5 2.73	6.5 6.5	2.5 2.73	4 4
30	2.5 2.73	5.0 5.46	5.165 5.114	4 4
45	2.5 2.73	3.54 3.86	6.01 5.82	4 4
60	2.5 2.73	2.89 3.15	6.41 6.10	5.5 5.5
90	2.5 2.73	2.5 2.73	6 5.5	7.5 7.5



PARKING AREA ILLUSTRATION

SECTION 14

MAPS

SECTION 15

APPENDIX A

USES SPECIFICALLY MENTIONED OR DEFINED

Appendix A

USES SPECIFICALLY MENTIONED OR DEFINED

Abattoirs
Adult Care Homes
Ambulance Service Establishments
Amphitheatres
Amusement Arcades
Animal Hospitals
Animal Shelters
Animal By-Product Rendering Plants
Apartment Hotels
Approved Homes
Aquariums
Art Galleries
Assembling
Assembly of Manufactured Goods
Auctioneering Establishments
Auditoriums, Public

Bakery Shops
Bakeries
Banks
Bingo Halls
Biscuit Plants
Blacksmith Shops
Blueprinting Establishments
Boarding Care Homes - Type 1, 2
Bottling
Boxing
Bowling Alleys
Breweries
Builders' Yards or Shops
Bus Terminals

Campgrounds
Car Washes
Cemeteries
Churches
Cleaning of Rugs, Carpets or Rags
Cold Storage Plants
Colleges
Commercial Amusement Parks
Commercial Clubs
Community Centres
Community Colleges
Confectionery Stores

Contractors' Yards or Shops
Convenience Stores
Convents
Crating Services
Crematoria
Curling Rinks

Dairies
Day Care Centres
Dental Laboratories
Display and Sales of Prefabricated or Prepackaged Homes
Distilleries
Drycleaning Plants
Dyeing
Dwelling Units - Apartment
- Apartment, Low Rise
- Converted
- Detached
- Detached Zero Lot Line
- Duplex
- Fourplex
- Semi-detached
- Senior Citizen's Apartment
- Townhouse
- Triplex

Eleemosynary Institutions
Engraving Establishments
Exhibition Buildings

Fabrication
Fabrication, Culverts, Pipes or Tanks
Fabrication, Explosives
Fabrication, Iron and Metal Appurtenances and Goods
Farm Implement or Large Equipment or Machinery, Rentals or Sales
Farms
Fast Food Outlets
Financial Institutions
Fire Stations
Food Freezer or Locker Plants
Food Processing
Funeral Homes
Fur Dyeing
Fur Finishing

Gas Bar
Golf Courses
Golf Driving Ranges
Grain Milling, Cleaning or Drying
Greenhouses
Grocery Stores
Group Homes - Type 1 (Residential Care Homes)
Group Homes - Type 2 (Crisis Care Facilities)

Home Improvement Centres
Home Occupations
Hospitals
Hotels
House Form Commercial/Residential Buildings

Ice Manufacture and Storage
Industrial Laboratories
Ink Mixing or Packaging

Laundry Plants
Libraries
Licensed Beverage Rooms
Licensed Cocktail Rooms
Licensed Dining Rooms
Licensed Restaurants
Liquor Stores
Lithography Establishments
Livestock Feed Yards
Lumber Yards

Machine Shops
Manufacturing
Manufacturing, Chemicals
Manufacturing, Explosives
Manufacturing, Vinegar or Sauerkraut
Manufacturing, Fermented Fruits or Vegetable Products
Manufacturing, Oxygen or Nitrogen
Manufacturing, Pharmaceutical Products
Manufacturing, Serums, Toxins or Viruses
Market Gardens
Meat Packing Plants
Meat Processing Plants
Medical Laboratories
Metal Sharpening or Machining
Milk Plants
Mirror Silvering
Mixed Use Buildings

Mobile Home Dwelling Units
Mobile Home Sales, Services, Rentals or Repairs
Mobile Home Parks
Mortuaries
Museums
Museums, Public

Newspaper Printing or Publishing
Nightclubs
Nuclear Generating Plants
Nuclear Processing Plants
Nursery Schools - Type 1
Nursery Schools - Type 2
Nursery Stock Farms

Off-Site Caveated Parking
Offices
Oil or Gas Storage Yards
Open Space Facilities

Packaging
Parking Lots, Paved
Parking Lots, Unpaved
Parks
Personal Service Establishments
Photostating Establishments
Picnic Areas
Police Stations
Pool Halls
Post Offices
Poultry Products Packing Plants
Poultry Products Processing Plants
Printing Establishments, Commercial
Printing Establishments, Industrial
Private Clubs
Processing
Processing, Explosives
Publishing Establishments, Commercial

Rail Passenger Terminals
Recreational Schools
Recreational Vehicles, Sales, Services, Rentals or Repairs
Rental Establishments
Repair Shops
Residential Offices
Restaurants
Restaurants, Drive-in
Retail Stores
Retreading and Repair of Tires
Rinks,
Rock or Gravel Processing
Rooming Houses

Salvage Yards
Sandblasting
Schools, Business
Schools, Commercial
Schools for Disabled
Schools, Public or Separate Elementary or High
Schools for the Handicapped
Schools, Private
Schools, Rehabilitation
Schools, Technical
Senior Citizens' Apartments
Service Stations
Sheet Metal Products
Shopping Centres
Soft Drink Bottling or Processing
Special Care Homes (Nursing Homes)
Sports Stadia
Stockyards
Storage
Storage, Explosives

Tanning
Taxidermy
Theatres
Theatres, Drive-in
Trade Union Halls
Trailer Sales, Service, Rental or Repairs
Transport Terminals
Trucking or Freight Terminals
Truck Washes

Universities

Vehicular Repair Establishments
Vehicular Sales, Service, or Rental

Warehousing
Wholesaling

Yarding, Storage, Operation, or Maintenance of Railway Rolling Stock

Zoos, Public

Appendix B

APPROVED AMENDING BYLAWS

Bylaw Number	Section Amended	Date of Final Council Approval
8497	Section 14 - Maps	September 14, 1987
8498	Section 14 - Maps	September 14, 1987
8500	Section 14 - Maps	September 14, 1987
8505	Section 14 - Maps	October 13, 1987
8508	Section 14 - Maps	October 26, 1987
8509	Section 14 - Maps	October 26, 1987
8517	Section 5	November 9, 1987
8518	Section 5.2	November 23, 1987
8519	Section 12	November 9, 1987
8546	Section 2	December 21, 1987
8547	Sections 2, 3, 5, 6	December 21, 1987

SECTION 16

ZONING CONTRACTS

BYLAW NO. 8030-AG-B85

A BYLAW OF THE CITY OF REGINA TO AUTHORIZE THE EXECUTION OF A CERTAIN AGREEMENT BETWEEN THE CITY OF REGINA AND CHRISTOPHER COLUMBUS CLUB OF REGINA.

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

1. THAT the Mayor and the City Clerk of the Corporation of The City of Regina be and they are hereby authorized to execute under seal an Agreement in writing, re Contract Zoning, between The City of Regina and Christopher Columbus Club of Regina, which Agreement shall be marked "X", attached hereto and form part of this Bylaw.

READ A FIRST TIME THIS 15th DAY OF July A.D. 1985.

READ A SECOND TIME THIS 15th DAY OF July A.D. 1985.

READ A THIRD TIME AND PASSED THIS 15th DAY OF July A.D. 1985.

Mayor L. P. SCHNEIDER

City Clerk F. E. HOWARD (SEAL)

CERTIFIED A TRUE COPY

City Clerk

Passed as to form this 10th day of June, 1985.

"X"

THIS AGREEMENT made this 15th day of July A.D. 1985 pursuant to the provisions of Section 82 of The Planning and Development Act, 1983, s.s. Ch p.131

BETWEEN:

THE CITY OF REGINA
(hereinafter referred to as "the City")

OF THE FIRST PART

- and -

CHRISTOPHER COLUMBUS CLUB OF REGINA
(hereinafter referred to as "the applicant")

OF THE SECOND PART

WHEREAS the City has an approved development plan as contemplated in Section 82 of The Planning and Development Act, 1983 that contains guidelines applicable to contract zoning.

AND WHEREAS the Applicant has applied to the City to have the lands legally described as:

Parcel 1. Lots Eleven (11) to Eighteen (18), both inclusive, in Block Three Hundred and Sixty-two (362), in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada, according to a plan of record in the Land Titles Office for the Regina Land Registration District as Old No. 33.

Parcel 2. The most Northerly Eight and one-third (8 1/3) feet in width throughout of Lot Thirty-six (36), and the whole of Lots Thirty-seven (37) and Thirty-eight (38), in Block Three Hundred and Sixty-one (361), in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada, according to a plan of record in the Land Titles Office for the Regina Land Registration District as Old No. 33 Minerals in the Crown.

(hereinafter referred to as the lands and buildings)

which lands and buildings are commonly known as the Regina Curling Club, rezoned from I - Institutional (Parcel 1) and R4A - Residential Older Neighbourhood (Parcel 2) to C - Contract Zoning to permit the carrying out of a proposal as described in Schedule "A" attached hereto and forming part of this agreement.

AND WHEREAS the applicant has by virtue of an Offer to Purchase dated the 31st day of October, A.D. 1984 made with the Regina Curling Club a right and interest in the lands.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of $1.00 paid by the applicant to the City, the receipt and sufficiency of which is hereby, acknowledged and in consideration of the mutual convenants herein specified the parties hereto agree as follows:

1. PREAMBLE

The preamble to this agreement shall be and doth form an integral part of this agreement.

RK

2. THE PROPOSAL

The Applicant shall utilize the lands and buildings in accordance with the proposal attached hereto as Schedule "A" and no use or development of land or building may take place except in accordance with this agreement and the schedules attached hereto.

3. SOLE AGREEMENT

This agreement contains the entire and only agreement between the parties respecting the subject lands and any representations, promise or condition in connection therewith not incorporated herein shall not be binding upon the parties. The agreement supercedes all pre-existing agreements or arrangements between the parties relating to the lands and no change or erasure shall be valid or binding upon either party. It is further declared by both parties that there are no oral or other agreements or understandings between them affecting this agreement or related to the above lands.

4. USUAL MEANING

The agreement shall be interpreted according to the ordinary and usual meaning of the words thereof unless otherwise defined and notwithstanding any useage or custom to the contrary.

5. DEPARTURE OR WAIVER

No departure or waiver of the terms of this agreement shall be deemed to authorize any prior or subsequent departure or waiver and the City shall not be obligated to continue any departure or waiver or permit subsequent departure or waiver. No alteration or modification of any of the provisions of this agreement shall be binding unless the same be in writing and signed by the parties.

6. COMPLIANCE WITH LAWS OTHER THAN ZONING

The applicant agrees to comply with and to conform to the requirements of every applicable statute, law, bylaw and order during its use or occupancy of the lands, which govern the lands and the facility and not to use either for any unlawful purpose.

7. SEVERABILITY OF AGREEMENT

If any covenant and/or provision of this agreement is deemed to be void or unenforceable in whole or in part, it shall not be deemed to affect or impair the validity of any other covenant or provision of this agreement.

8. LAW OF AGREEMENT

This agreement shall be governed and interpreted exclusively in accordance with the laws of the Province of Saskatchewan.

9. EFFECTIVE DATE OF AGREEMENT

The effective date of this agreement shall be the date first above written, it being understood by the applicant that the "lands" shall not be affectively rezoned until this agreement is registered by way of caveat against the "lands"

10. AMENDMENT OF AGREEMENT

The Council of the City of Regina may, on application by the person who entered into this agreement pursuant to Section 82 of The Planning and Development Act or any subsequent owner of the land to which this agreement pertains:

(a) vary the agreement

(b) enter into a new agreement, or

(c) extend any time limit established in this agreement

B.J
R.K

11. NOTICE

Any notice required to be given by either party to the other under the terms hereof shall be in writing and may be delivered personally or mailed in a properly stamped and addressed envelope to the party to be notified at the address hereinbefore set out. The addresses of the applicant and the City are as follows:

(a) The Applicant

(b) The City

12. LIABILITY ON TERMINATION AND INDEMNITY

In the event of termination of this agreement the City shall not be liable to the applicant for any compensation, reimbursement or damages or account of profit or account of expenditures in connection with the lands.

13. RESIDENTIAL PARKING RESTRICTION SCHEME

The applicant acknowledges that due to the limited amount of on-site parking facilities being provided with the proposal that they must utilize every effort to obtain additional parking commitments in the area and at any time in the future if the City regards their operations as constituting an off-site parking problem in the area then without further notice to the applicant the City may introduce a Resident Parking Restriction Scheme in the area.

14. The parties acknowledge that this Agreement is made pursuant to Section 82 of The Planning and Development Act, 1983. The Applicant agrees that the City may register a caveat against the site to protect its interest in accordance with that section. Such caveat shall register in preference to all other encumbrances against the site save and except those acceptable to the solicitors for the City of Regina.

IN WITNESS WHEREOF the Applicant has affixed its corporate seal as attested to by its proper signing officers duly authorized in that behalf and the City has affixed its corporate seal as attested to by its Mayor and City Clerk on the day and year first above written.

THE CITY OF REGINA

Mayor

City Clerk

SIGNED, SEALED AND DELIVERED
in the presence of

Witness

CHRISTOPHER COLUMBUS CLUB
OF REGINA

!0972!

SCHEDULE "A"

THE APPLICANT'S PROPOSAL:

The Applicant proposes to operate a private club on the lands and buildings.

The Applicant shall retain the existing building structure on Parcel 1 known as the Regina Curling Club for the uses outlined below with landscaping and parking areas as shown on Schedule A-I attached hereto and forming part of the agreement.

The Applicant shall maintain a paved parking lot on Parcel 2 with fencing, lighting and landscaping as shown on Schedule A-II attached hereto and forming part of this agreement.

Upon the rezoning of the land, none of the land or buildings shall be developed or used except in accordance with the proposal, terms and conditions and time limits prescribed in this agreement.

No major structural additions to the existing structure shall be permitted without the prior consent of the City of Regina in writing.

USES

The uses of the lands and buildings,(as shown on Schedule A-III attached hereto and forming part of this agreement), permitted pursuant to this agreement are as follows:

Parcel 1

1) Administrative offices, kitchen facilities and a dining room.

2 a) A Bingo Hall facility with a maximum seating capacity of 400 persons. The Bingo Hall facility may be utilized for bingo

i) on a maximum of five nights per week in any 15 weeks of a calendar year, but

ii) shall be utilized no more than four nights per week in the remaining 37 weeks of the calendar year.

The hours of operation for bingo are hereby restricted between the hours of 7:00 p.m. and 10:30 p.m.

b) banquet, meeting and convention facility with a maximum seating capacity of 700 persons and with closing time governed by the provisions of the Liquour Licensing Act.

3) Parcel 1. shall have 20 paved parking stall in accordance with the regulations governing said facilities under Zoning Bylaw No. 7878.

4) No retail sales of any nature are permitted.

5) No use of the land or buildings as herein described shall take place except in accordance with this agreement.

Parcel 2

1) Paved parking providing 26 parking stalls in accordance with the regulations governing said facilities under the Zoning Bylaw No. 7878.

2) No retail sales of any nature are permitted.

3) No use of the land or buildings as herein described shall take place except in accordance with this agreement.

SIGNAGE

Signage for the building shall be in conformace with the attached Schedule A-IV

P.K.

SCHEDULES AI,AII,AIII,AIV MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK

BYLAW NO. 8202-ZO-B86

A BYLAW OF THE CITY OF REGINA TO AMEND BYLAW NO. 7878

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

THAT Section 13 of the City of Regina Zoning Bylaw No. 7878 be and the same is hereby amended as follows:

1. THAT Section 13, Zoning Controls Map, be amended to show the following zoning with reference to Lot 16, Block E, Plan DV 4404, 4138 Dewdney Avenue

   a) Lot 16, Block E, in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada, as the same is shown on a plan of record in the Land Titles Office for the Regina Land Registration District as DV 4404, presently zoned R3 - Residential Older Neighbourhood be rezoned to (C) - Contract Zone.

2. THAT the Mayor and the City Clerk of the Corporation of The City of Regina be and they are hereby authorized to execute under seal an Agreement in writing, re Contract Zoning, between The City of Regina and North West Electric Company Limited, which Agreement shall be marked "X", attached hereto and form part of this Bylaw.

READ A FIRST TIME THIS 7th DAY OF APRIL A.D. 1986.

READ A SECOND TIME THIS 7th DAY OF APRIL A.D. 1986.

READ A THIRD TIME AND PASSED THIS 14th DAY OF APRIL A.D. 1986.

(SGD.) G. HELMSING
Mayor

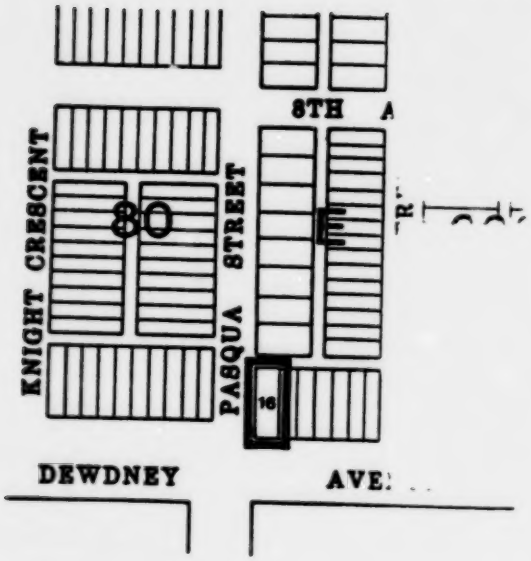
(SGD.) G. R. DAY
City Clerk

(SEAL)

CERTIFIED A TRUE COPY

City Clerk

Approved as to form this 25th day of April, 1986


8TH A
KNIGHT CRESCENT
PASQUA STREET
80
16
DEWDNEY
AVE

THIS AGREEMENT made this 15th day of April A.D. 1986 pursuant to the provisions of Section 82 of The Planning and Development Act, 1983, s.s. Ch p.131.

BETWEEN:

THE CITY OF REGINA
(hereinafter referred to as
the "City")

OF THE FIRST PART

- and -

NORTH WEST ELECTRIC COMPANY LIMITED
being a corporation duly incorporated
pursuant to the laws of the Province
of Saskatchewan and having its head
office in the City of Regina, in the
Province of Saskatchewan
(hereinafter referred to as the
"applicant")

OF THE SECOND PART

WHEREAS the City has an approved development plan as contemplated in Section 82 of The Planning and Development Act, 1983 that contains guidelines applicable to contract zoning.

AND WHEREAS the Applicant has applied to the City to have the lands legally described:

Lot Sixteen (16), in Block "E", in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada, according to a plan of record in the Land Titles Office for the Regina Land Registration District as No. DV 4404.
MINERALS INCLUDED

(hereinafter referred to as the "lands and buildings")

which lands and buildings are civically known as 4138 Dewdney Avenue, rezoned from R3 - Residential Older Neighbourhood to C - Contract Zoning to permit the carrying out of a proposal as described in Schedule "A" attached hereto and forming part of this agreement.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the sum of $1.00 paid by the applicant to the City, the receipt and sufficiency of which is hereby acknowledged and in consideration of the mutual covenants herein specified the parties hereto agree as follows:

1. PREAMBLE

The preamble to this agreement shall be and doth form an integral part of this agreement.

2. THE PROPOSAL

The Applicant shall utilize the lands and buildings in accordance with the proposal attached hereto as Schedule "A" and no use or development of the land or building may take place except in accordance with this agreement and the schedules attached hereto.

3. SOLE AGREEMENT

This agreement contains the entire and only agreement between the parties respecting the subject lands and any representations, promise or condition in connection therewith not incorporated herein shall not be binding upon the parties. The agreement supercedes all pre-existing agreements or arrangements between the parties relating to the lands and no change or erasure shall be valid or binding upon either party. It is further declared by both parties that there are no oral or other agreements or understandings between them affecting this agreement or related to the above lands.

4. USUAL MEANING

The agreement shall be interpreted according to the ordinary and usual meaning of the words thereof unless otherwise defined and notwithstanding any useage or custom to the contrary.

5. DEPARTURE OR WAIVER

No departure or waiver of the terms of this agreement shall be deemed to authorize any prior or subsequent departure or waiver and the City shall not be obligated to continue any departure or waiver or permit subsequent departure or waiver. No alteration or modification of any of the provisions of this agreement shall be binding unless the same be in writing and signed by the parties.

6. COMPLIANCE WITH LAWS OTHER THAN ZONING

The applicant agrees to comply with and to confirm to the requirements of every applicable statute, law, bylaw and order during its use or occupancy of the lands, which govern the lands and the facility and not to use either for any unlawful purpose.

7. SEVERABILITY OF AGREEMENT

If any covenant and/or provision of this agreement is deemed to be void or unenforceable in whole or in part, it shall not be deemed to affect or impair the validity of any other covenant or provision of this agreement.

8. LAW OF AGREEMENT

This agreement shall be governed and interpreted exclusively in accordance with the laws of the Province of Saskatchewan.

9. EFFECTIVE DATE OF AGREEMENT

The effective date of this agreement shall be the date first above written, it being understood by the applicant that the "lands" shall not be affectively rezoned until this agreement is registered by way of caveat against the "lands".

10. AMENDMENT OF AGREEMENT

The Council of the City of Regina may, on application by the person who entered into this agreement pursuant to Section 82 of The Planning and Development Act or any subsequent owner of the land to which this agreement pertains:

(a) vary the agreement

(b) enter into a new agreement, or

(c) extend any time limit established in this agreement

11. NOTICE

Any notice required to be given by either party to the other under the terms hereof shall be in writing and may be delivered personally or mailed in a properly stamped and addressed envelope to the party to be notified at the

address hereinbefore set out. The addresses of the applicant and the City are as follows:

(a)	The Applicant	North West Electric Company Limited c/o Michael Rosen 3130 - 21st Avenue Regina, Saskatchewan S4S 0T6
(b)	The City	Director of Planning City Hall P. O. Box 1790 Regina, Saskatchewan S4P 3C8

12. LIABILITY ON TERMINATION AND INDEMNITY

In the event of termination of this agreement the City shall not be liable to the applicant for any compensation, reimbursement or damages or account of profit or account of expenditures in connection with the lands.

13. The parties acknowledge that this Agreement is made pursuant to Section 82 of The Planning and Development Act, 1983. The Applicant agrees that the City may register a caveat against the site to protect its interest in accordance with that section. Such caveat shall register in preference to all other encumbrances against the site save and except those acceptable to the solicitors for the City of Regina.

IN WITNESS WHEREOF the Applicant has affixed its corporate seal as attested to by its proper signing officers duly authorized in that behalf and the City has affixed its corporate seal as attested to by its Mayor and City Clerk on the day and year first above written.

NORTH WEST ELECTRIC COMPANY LIMITED

THE CITY OF REGINA

Deputy Mayor

City Clerk

SCHEDULE "A"

THE APPLICANT'S PROPOSAL

The Applicant shall construct a two-storey building on the site, comprised of commercial space on the main floor (with permitted uses specified below) and two residential apartment units on the second floor, in accordance with the plans prepared by R. H. Cook & Associates Ltd., Consulting Engineers, attached hereto as Schedule "A-I".

The two-storey building, its associated setbacks, its paved parking layout and the fence design and positioning on the site shall be in accordance with the plans prepared by R. H. Cook & Associates Ltd., Consulting Engineers, attached hereto as Schedule "A-I"

Landscaping shall be in accordance with the landscape plan prepared by R. H. Cook & Associates Ltd., Consulting Engineers, attached hereto as Schedule "A-I" and shall be fully completed within one year of the issuance of an occupancy permit for the building.

No alteration of the plans attached hereto shall be permitted without the prior consent of the City of Regina in writing and upon the rezoning of the land, none of the land or building shall be developed or used except in accordance with the proposal, terms and conditions and time limits prescribed in this agreement.

Upon completion of construction of the two-storey building no major structural additions to the building shall be permitted without the prior consent of the City of Regina in writing.

Construction of the two-storey building shall commence at least nine months after the date of registration of this agreement by caveat at the Land Titles Office and construction shall be fully completed within two years of the said date.

USES

The uses of the lands and building (as shown on Schedule "A-I" attached hereto and forming part of this agreement), permitted pursuant to this agreement are as follows:

The Ground Level

Only one of any of the following commercial uses shall be allowed to operate on the main floor at any given time:

1. Retail Store
   — A building where goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, including storage of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service such store, but not including any retail outlet listed in Schedule B to this agreement

2. Beauty Salon

3. Barber Shop

4. Repair Shop
   — A shop for servicing, installing or renting things and equipment, including but without limiting the generality of the foregoing, the following:
      radio or television service or repair shops, household and carpenter tool service or repair shops, but not including any service or repair shop listed in Schedule B to this agreement

5. Office
   — A place where non-retail business affairs are conducted for the following purposes:
      administration
      sales
      general business
      professional services
      real estate
      insurance offices

Second Floor
Two residential apartment units

SIGNAGE

Any signage on the property or building shall be approved by the Director of Planning prior to installation.

SCHEDULE A1 MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK

SCHEDULE "B"

Appendix A

USES SPECIFICALLY MENTIONED OR DEFINED

Abattoirs
Adult Care Homes
Ambulance Service Establishments
Amphitheatres
Animal Hospitals
Animal By-Product Rendering Plants
Apartment Hotels
Appliance Retailing
Appliance Warehousing
Approved Homes
Aquariums
Art Galleries
Art Galleries, Public
Assemblying
Assembly of Manufactured Goods
Athletic Clubs
Auctioneering Establishments
Auditoriums, Public

Bakery Shop
Bakeries
Banks
Bingo Halls
Biscuit Plants
Blacksmith Shops
Blueprinting Establishments
Boarding Care Homes
Bottling
Boxing
Bowling Alleys
Bowling Greens
Breweries
Builders' Yards or Shops
Bus Terminals

Campgrounds
Car Washes
Cemeteries
Churches
Cinemas
Cleaning of Rugs, Carpets or Rags
Cold Storage Plants
Colleges
Commercial Amusement Parks
Commercial Club
Community Centres
Community Colleges
Confectionary Stores

Contractors' Yards or Shops
Convenience Store
Convents
Crating Services
Crematoria
Curling Rinks

Dairies
Day Care Centres
Dental Clinics
Dental Laboratories
Display and Sales of Prefabricated or Prepackaged Homes
Distilleries
Drycleaning Plants
Dyeing
Dwelling Units - Apartment
- Apartment, Low Rise
- Converted
- Detached
- Detached Zero Lot Line
- Duplex
- Fourplex
- Semi-detached
- Townhouse

Electronic Game Establishments
Eleemosynary Institutions
Engraving Establishments
Exhibition Buildings

Fabrication
Fabrication, Culverts, Pipes or Tanks
Fabrication, Explosives
Fabrication, Iron and Metal Appurtenances and Goods
Farm Implement or Large Equipment or Machinery, Rentals or Sales
Farms
Fast Food Outlets
Financial Institutions
Fire Stations
Food Freezer or Locker Plants
Food Processing
Funeral Homes
Fur Dyeing
Fur Finishing
Furniture, Retailing
Furniture, Warehousing

Gas Bar
Golf Courses
Golf Driving Ranges
Grain Milling, Cleaning or Drying
Greenhouses
Grocery Stores
Group Homes - Type 1 (Residential Care Homes)
Group Homes - Type 2 (Crisis Care Facilities)

Home Improvement Centres
Home Occupations
Hospitals
Hotels
House Form Commercial/Residential Buildings

Ice Manufacture and Storage
Industrial Laboratories
Ink Mixing or Packaging

Kennels

Laundry Plants
Libraries
Licensed Beverage Room
Licensed Cocktail Room
Licensed Dining Room
Licensed Private Club
Licensed Restaurant
Liquor Stores
Lithography Establishments
Livestock Feed Yards
Lumber Yards

Machine Shops
Manufacturing
Manufacturing, Chemicals
Manufacturing, Explosives
Manufacturing, Vinegar or Sauerkraut
Manufacturing, Fermented Fruits or Vegetable Products
Manufacturing, Oxygen or Nitrogen
Manufacturing, Pharmaceutical Products
Manufacturing, Serums, Toxins or Viruses
Market Gardens
Meat Packing Plants
Meat Processing Plants
Medical Clinics
Medical Laboratories
Metal Sharpening or Machining
Microwave Towers
Milk Plants
Mirror Silvering
Mixed Use

Use - 40%
Use - 80%
ile Homes
ile Home Sales, Services, Rentals or Repairs
rmaries
tels
tor Club Offices
useums
useums, Public

Newspaper Printing or Publishing
Nightclub
Nuclear Generating Plants
Nuclear Processing Plants
Nursery Schools - Type 1
Nursery Schools - Type 2
Nursery Stock Farms

Off-Site Caveated Parking
Office
Oil or Gas Storage Yards
Open Space Facilities

Packaging
Parking Area, Public
Parks
Personal Service Establishments
Photostating Establishments
Picnic Areas
Playgrounds
Police Stations
Pool Halls
Post Offices
Poultry Products Packing Plants
Poultry Products Processing Plants
Printing Establishments, Commercial
Printing Establishments, Industrial
Private Clubs
Processing
Processing, Explosives
Public Meeting Rooms
Publishing Establishments, Commercial

Radio Towers
Rail Passenger Terminals
Railroad Yards for Storage, Operation, Maintenance or Repair

Recreational Vehicles, Sales, Services, Rentals or Repairs
Rental Establishments
Repair Shop
Residential Offices
Restaurants
Restaurants, Drive-in
Retail Stores
Retreading and Repair of Tires
Rinks, Enclosed - Hockey
- Ice Skating
- Roller Skating
- Skateboard
Rinks, Outdoor
Rock or Gravel Processing
Rooming Houses

Salvage Yards
Sandblasting
Schools, Business
Schools, Commercial
Schools for Disabled
Schools, Public or Separate Elementary or High
Schools for the Handicapped
Schools, Private
Schools, Rehabilitation
Schools, Technical
Senior Citizens' Homes
Service Stations
Sheet Metal Products
Shopping Centres
Soft Drink Bottling or Processing
Special Care Homes (Nursing Homes)
Sports Fields
Sports Stadia
Stockyards
Storage
Storage, Explosives
Stray Animal Shelters
Swimming Pools

Tanning
Taxidermy
Television Towers
Tennis Courts
Theatres
Theatres, Drive-in
Trade Union Halls
Trailer Sales, Service, Rental or Repairs
Tot Lots
Transport Terminals
Trucking or Freight Terminals

Universities

Vehicle Washes
Vehicular Repair Establishment
Vehicular Sales, Service, Rental or Repairs
Veterinary Clinics

Warehousing
Wholesaling

Zoos, Public

BYLAW NO. 8203-ZO-886

A BYLAW OF THE CITY OF REGINA TO
AMEND BYLAW NO. 7878

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

THAT Section 13 of the City of Regina Zoning Bylaw No. 7878 be and the same is hereby amended as follows:

1. THAT Section 13, Zoning Controls Map, be amended to show the following zoning with reference to Lot 16, Block 456, Plan Old 33, 2330 McIntyre Street:

   a) That Lot 16, in Block 456, in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada, as the same is shown on a plan of record in the Land Titles Office for the Regina Land Registration District as Plan Old 33, presently zoned TAR - Transitional Area Residential be rezoned to (C) - Contract Zone.

2. THAT the Mayor and the City Clerk of the Corporation of The City of Regina be and they are hereby authorized to execute under seal an Agreement in writing, re Contract Zoning, between The City of Regina and Stone Croft Hutchinson Architects Ltd., which Agreement shall be marked "X", attached hereto and form part of this Bylaw.

READ A FIRST TIME THIS 7th DAY OF APRIL A.D. 1986.

READ A SECOND TIME THIS 7th DAY OF APRIL A.D. 1986.

READ A THIRD TIME AND PASSED THIS 7th DAY OF APRIL A.D. 1986.

(SGD.) G. HELMSING
Deputy Mayor

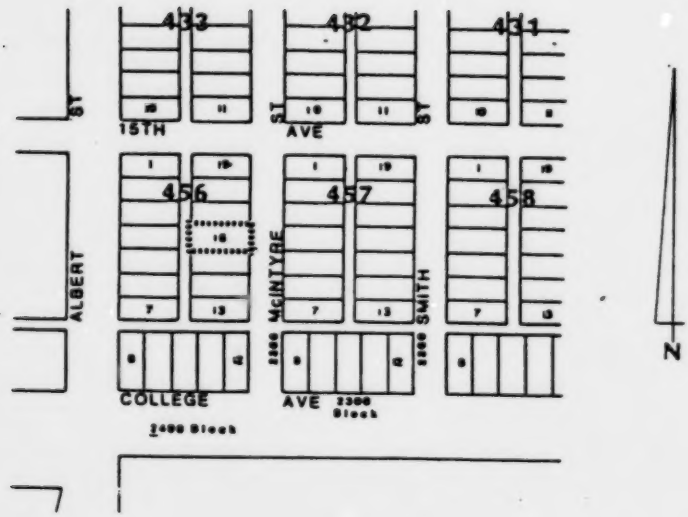
(SGD.) G. R. DAY
City Clerk

(SEAL)

CERTIFIED A TRUE COPY

City Clerk

3rd. 86


433
432
431
456
457
458
15TH ST
AVE
ST
ALBERT
McINTYRE
SMITH
COLLEGE
AVE
2400 Block
2300 Block
N

THIS AGREEMENT MADE THIS 7th day of April A.D. 1986
pursuant to Section 82 of The Planning and Development Act, 1983, ss. Ch p.131

BETWEEN:

THE CITY OF REGINA
(hereinafter referred to as the "City")

OF THE FIRST PART

- and -

STONE CROFT HUTCHINSON ARCHITECTS LTD.
(hereinafter referred to as the "applicant")

OF THE SECOND PART

WHEREAS the City has an approved development plan as contemplated in Section 82 of The Planning and Development Act, 1983 that contains guidelines applicable to contract zoning.

AND WHEREAS the Applicant has applied to the City to have the land legally described as:

Lot 16, Block 456, Regina, Saskatchewan
Plan Old No. 33
MINERALS INCLUDED

which lands and buildings are commonly known as 2330 McIntyre Street, rezoned from TAR Transitional Area Residential to (C) - Contract Zone to permit the carrying out of a proposal as described in Schedule "A" attached hereto and forming part of this agreement.

AND WHEREAS the applicant is by virtue of an Offer to Purchase dated the 28th day of February, A.D. 1986 made with the Estate of Kalman Vertes entitled to be the registered owner of the lands.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the sum of $1.00 paid by the applicant to the City, the receipt and sufficiency of which is hereby acknowledged and in consideration of the mutual covenants herein specified the parties hereto agree as follows:

1. PREAMBLE

The preamble to this agreement shall be and doth form an integral part of this agreement.

2. THE PROPOSAL

The applicant shall utilize the lands and buildings in accordance with the proposal attached hereto as Schedule "A" and no use or development of land or building may take place except in accordance with this agreement and the schedules attached hereto.

3. SOLE AGREEMENT

This agreement contains the entire and only agreement between the parties respecting the subject lands and any representations, promise or condition in connection therewith not incorporated herein shall not be binding upon the parties. The agreement supercedes all pre-existing agreements or arrangements between the parties relating to the lands and no changes or erasure shall be valid or binding upon either party. It is further declared by both parties that there are no oral or other agreements or understandings between them affecting this agreement or related to the above lands.

4. USUAL MEANING

The agreement shall be interpreted according to the ordinary and usual meaning of the words thereof unless otherwise defined and notwithstanding any useage or custom to the contrary.

5. DEPARTURE OR WAIVER

No departure or waiver of the terms of this agreement shall be deemed to authorize any prior or subsequent departure or waiver and the City shall not be obligated to continue any departure or waiver or permit subsequent departure or waiver No alteration or modification of any of the provisions of this agreement shall be binding unless the same be in writing and signed by the parties.

6. COMPLIANCE WITH LAWS OTHER THAN ZONING

The applicant agrees to comply with and to conform to the requirements every applicable statute, law, bylaw and order during its use or occupancy of the land which govern the lands and the facility and not to use either for any unlawful purpose

7. SEVERABILITY OF AGREEMENT

If any covenant and/or provision of this agreement is deemed to be void or unenforceable in whole or in part, it shall not be deemed to affect or impair the validity of any other covenant or provision of this agreement.

8. LAW OF AGREEMENT

This agreem ent shall be governed and interpreted exclusively in accordance with the laws of the Province of Saskatchewan.

9. EFFECTIVE DATE OF AGREEMENT

The effective date of this agreement shall be the date first above written, it being understood by the applicant that the "lands" shall not be effective rezoned until this agreement is registered by way of caveat against the "lands".

10. AMENDMENT OF AGREEMENT

The Council of the City of Regina may, on application by the person who entered into this agreement pursuant to Section 82 of The Planning and Development Act or any subsequent owner of the land to which this agreement pertains:

(a) vary the agreement
(b) enter into a new agreement, or
(c) extend any time limit established in this agreement

11. NOTICE

Any notice required to be given by either party to the other under the terms hereof shall be in writing and may be delivered personally or mailed in a proper stamped and addressed envelope to the party to be notified at the address hereinbefore set out. The addresses of the applicant and the City are as follows:

(a) The Applicant .....Stone Croft Architects Ltd.
2330 Smith Street
Regina, Sask. S4P 2P6

(b) The City .....The Director of Planning
City of Regina
P. O. Box 1790
Regina, Sask. S4P 3C8

12. LIABILITY ON TERMINATION AND INDEMNITY

In the event of termination of this agreement pursuant to 85(6) of The Planning and Development Act, 1983, the City shall not be liable to the applicant for any compensation, reimbursement or damages or account of profit or account of expenditures in connection with the lands.

13. The parties acknowledge that this Agreement is made pursuant to Section of The Planning and Development Act, 1983. The applicant agrees that the City shall register a caveat against the site to protect its interest as soon as possible following execution of this agreement in accordance with that section. Such caveat

shall register in preference to all other encumbrances against the site save and except those acceptable to the solicitors for the City of Regina.

IN WITNESS WHEREOF the applicant has affixed its corporate seal as attested to by its proper signing officers duly authorized in that behalf and the City has affixed its corporate seal as attested to by its Mayor and City Clerk on the day and year first above written.

THE CITY OF REGINA

Deputy Mayor

City Clerk

STONE CROFT HUTCHINSON ARCHITECTS LTD.

Seal

SCHEDULE "A"

THE APPLICANT'S PROPOSAL

The applicant shall renovate and restore the existing building and extend the front of the existing building in accordance with the plans prepared by Stone Croft Architects Ltd. attached hereto as Schedule A-1. The building and its associated setbacks and the paved parking layout shall be as shown on Schedule A-1. No alteration of the plans attached hereto shall be permitted without the prior consent of the City of Regina in writing and upon the rezoning of the land none of the land or building shall be developed, used or altered except in accordance with this agreement, the terms and conditions hereof and the time limits prescribed here.

Construction on the building shall commence at least four months after the date of the registration of this agreement by caveat at the Land Titles Office and construction shall be fully completed within one year of that said date.

The applicant shall submit a detailed landscape plan to the City within three months of the date of this agreement which plan shall be in accordance with the requirements of the City and must be approved by the Director of Parks and Recreation of the City. The landscaping shall be fully completed in accordance with the approved plans within one year of the date this agreement is registered by caveat in the Land Titles Office.

The applicant shall repair the existing chain link fence on the Northern boundary of the property and shall keep it properly maintained at all times thereafter. Upon the demolition of the existing garage on the property the applicant shall further extend the chain link fence to the rear property line.

USES

The uses of the land and building (as shown on Schedule A-1 attached hereto and forming part of this agreement) permitted pursuant to this agreement are as follows:

One or more of the following uses are permitted.....

art galleries (private or public)
offices
daycare centres
child and adult care homes
libraries
eleemosynary institutions
personal service establishments
restaurants
licensed restaurants
licensed dining room
licensed cocktail rooms
dwelling units

No other uses are permitted.

SIGNAGE

Any signage on the property or building shall be approved by the Director of Planning before installation.

SCHEDULE A1 MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK

BYLAW NO. 8233 - ZO-B86

A BYLAW OF THE CITY OF REGINA TO
AMEND BYLAW NO. 7878

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

THAT Section 13 of the City of Regina Zoning Bylaw No. 7878 be and the same is hereby amended as follows:

1. THAT Section 13, Zoning Controls Map, be amended to show the following zoning with reference to Block Y, Plan No. 86R14283, 2250 Park Street

   a) That Block Y, Regina, Saskatchewan, Plan 86R14283 presently zoned I - Institutional and PS - Public Service be rezoned to (C) - Contract Zone.

2. THAT the Mayor and the City Clerk of the Corporation of The City of Regina be and they are hereby authorized to execute under seal an Agreement in writing, re Contract Zoning, between The City of Regina and Regina Cable Television Co-operative, which Agreement shall be marked "X", attached hereto and form part of this Bylaw.

READ A FIRST TIME THIS 12th DAY OF MAY A.D. 1986.

READ A SECOND TIME THIS 12th DAY OF MAY A.D. 1986.

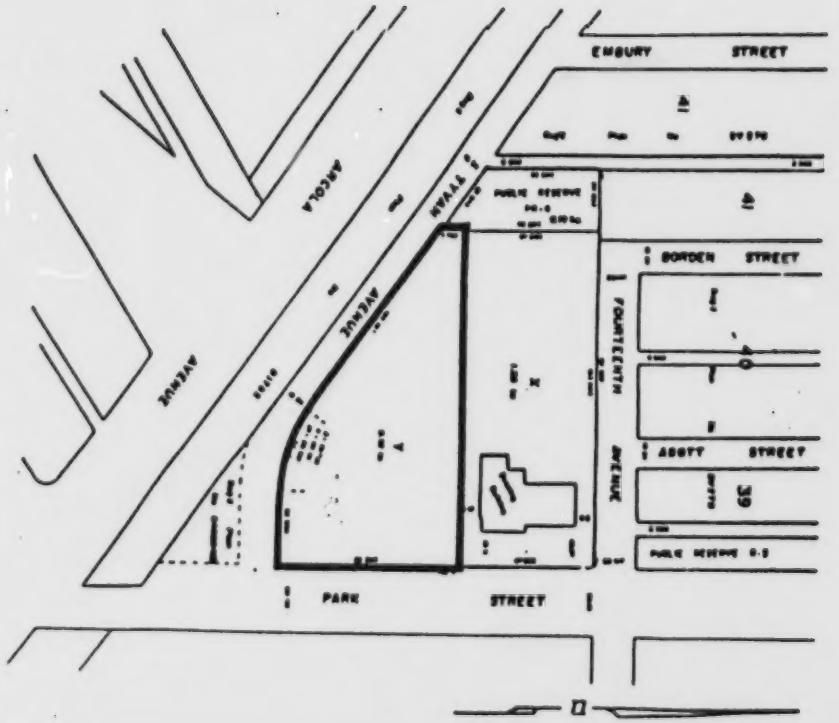
READ A THIRD TIME AND PASSED THIS 12th DAY OF MAY A.D. 1986.

(SGD.) L. P. SCHNEIDER
Mayor

(SGD.) G. R. DAY
City Clerk

CERTIFIED A TRUE COPY

City Clerk


EMBURY STREET
ARCOLA AVENUE
STYRAN AVENUE
BORDEN STREET
FOURTEENTH AVENUE
ABOTT STREET
PARK STREET

THIS AGREEMENT MADE THIS 13th day of May A.D. 1986 pursuant to Section 82 of The Planning and Development Act, 1983, ss. Ch p.131

BETWEEN:

THE CITY OF REGINA
(hereinafter referred to as the "City")

OF THE FIRST PART

- and -

REGINA CABLEVISION CO-OPERATIVE
carrying on business under the
firm name and style of Cable Regina
(hereinafter referred to as the "applicant")

OF THE SECOND PART

WHEREAS the City has an approved development plan as contemplated in Section 82 of The Planning and Development Act, 1983 that contains guidelines applicable to contract zoning.

AND WHEREAS the Applicant has applied to the City to have the lands legally described as:

Block Y, Regina, Saskatchewan, Plan 86R14283
MINES AND MINERALS EXCEPTED - as to the most Easterly 40 feet in perpendicular width throughout by 86R14282
MINERALS INCLUDED - as to remainder

which lands and buildings are commonly known as the St. Thomas School Site, rezoned from partially I - Institutional and PS - Public Service to (C) - Contract Zone to permit the carrying out of a proposal as described in Schedule "A" attached hereto and forming part of this agreement.

AND WHEREAS the applicant is by virtue of an Offer to Purchase dated the 5th day of March, A.D. 1985 made with The Board of Education for the Regina Roman Catholic Separate School Division No. 81 of Saskatchewan entitled to be the registered owner of the lands.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the sum of $1.00 paid by the applicant to the City, the receipt and sufficiency of which is hereby acknowledged and in consideration of the mutual covenants herein specified the parties hereto agree as follows:

1. PREAMBLE

The preamble to this agreement shall be and doth form an integral part of this agreement.

2. THE PROPOSAL

The applicant shall utilize the lands and buildings in accordance with the proposal attached hereto as Schedule "A" and no use or development of land or building may take place except in accordance with this agreement and the schedules attached hereto.

3. SOLE AGREEMENT

This agreement contains the entire and only agreement between the parties respecting the subject lands and any representations, promise or condition in connection therewith not incorporated herein shall not be binding upon the parties. The agreement supercedes all pre-existing agreements or arrangements between the parties relating to the lands and no changes or erasure shall be valid or binding upon either party. It is further declared by both parties that there are no oral or other agreements or understandings between them affecting this agreement or related to the above lands.

4. USUAL MEANING

This agreement shall be interpreted according to the ordinary and usual meaning of the words thereof unless otherwise defined and notwithstanding any useage or custom to the contrary.

5. DEPARTURE OR WAIVER

No departure or waiver of the terms of this agreement shall be deemed to authorize any prior or subsequent departure or waiver and the City shall not be obligated to continue any departure or waiver or permit subsequent departure or waiver. No alteration or modification of any of the provisions of this agreement shall be binding unless the same be in writing and signed by the parties.

6. COMPLIANCE WITH LAWS OTHER THAN ZONING

The applicant agrees to comply with and to conform to the requirements of every applicable statute, law, bylaw and order during its use or occupancy of the lands, which govern the lands and the facility and not to use either for any unlawful prupose.

7. SEVERABILITY OF AGREEMENT

If any covenant and/or provision of this agreement is deemed to be void or unenforceable in whole or in part, it shall not be deemed to affect or impair the validity of any other covenant or provision of this agreement.

8. LAW OF AGREEMENT

This agreement shall be governed and interpreted exclusively in accordance with the laws of the Province of Saskatchewan.

9. EFFECTIVE DATE OF AGREEMENT

The effective date of this agreement shall be the date first above written, it being understood by the applicant that the "lands" shall not be effectively rezoned until this agreement is registered by way of caveat against the "Lands".

10. AMENDMENT OF AGREEMENT

The Council of the City of Regina may, on application by the person who entered into this agreement pursuant to Section 82 of The Planning and Development Act or any subsequent owner of the land to which this agreement pertains:

(a) vary the agreement
(b) enter into a new agreement, or
(c) extend any time limit established in this agreement

11. NOTICE

Any notice required to be given by either party to the other under the terms hereof shall be in writing and may be delivered personally or mailed in a properly stamped and addressed envelope to the party to be notified at the address hereinbefore set out. The addresses of the applicant and the City are as follows:

(a) The Applicant..... Regina Cablevision Co-operative
102 - 1911 Park Street
Regina, Sask. S4N 5Y4

(b) The City..... The Director of Planning
City of Regina
P. O. Box 1790
Regina, Sask. S4P 3C8

12. LIABILITY ON TERMINATION AND INDEMNITY

In the event of tarmination of this agreement pursuant to 85(6) of The Planning and Development Act, 1983, the City shall not be liable to the applicant for any compensation, reimbursement or damages or account of profit or account of expenditures in connection with the lands.

13. The parties acknowledge that this Agreement is made pursuant to Section 82 of The Planning and Development Act, 1983. The applicant agrees that the City shall register a caveat against the site to protect its interest as soon as possible following execution of this agreement in accordance with that section. Such caveat shall register in preference to all other encumbrances against the site save and except those acceptable to the solicitors for the City of Regina.

IN WITNESS WHEREOF the applicant has affixed its corporate seal as attested to by its proper signing officers duly authorized in that behalf and the City has affixed its corporate seal as attested to by its Mayor and City Clerk on the day and year first above written.

THE CITY OF REGINA

Mayor

City Clerk

REGINA CABLEVISION CO-OPERATIVE

CORPORATE SEAL

1343

SCHEDULE "A"

THE APPLICANT'S PROPOSAL

The applicant shall construct a two storey building in accordance with the plans prepared by M. J. Pettick, Architect, attached hereto as Schedule A-1. The building and its associated setbacks and the paved parking layout shall be as shown on Schedule A-1. No alteration of the plans attached hereto shall be permitted without the prior consent of the City of Regina, in writing, and, upon the rezoning of the land, none of the land or buildings shall be developed, used or altered except in accordance with this agreement, the terms and conditions hereof and the time limits prescribed here unless otherwise agreed to by the City of Regina in advance by amendment to this agreement.

Construction of the building shall commence no later than the 1st day of May, A.D. 1989 and shall be fully completed within one year of that date.

The applicant shall submit a detailed landscape plan to the City within one year of commencement of construction of the building on the site which plan shall be in accordance with the requirements of the City and must be approved by the Director of Parks and Recreation of the City. The landscape plan shall address the nature and location of plant materials, appropriate fencing around the compound area, site lighting and the specifics associated with the ground designed satellite dishes. The final positioning of the satellite dishes to be used by the applicant shall be subject to the approval of the Director of Planning. If satellite dishes are located at ground level they shall be bermed from view of the general public and such berms will become an integral part of the landscape plan. The landscaping shall be fully completed in accordance with the approved plan within one year of the date of the approval of the landscape plan by the Director of Parks and Recreation.

USES

The uses of the land and building (as shown on Schedule A-1 attached hereto and forming part of this agreement) permitted pursuant to this agreement are as follows:

an Audio Visual Broadcast Centre consisting of the following associated uses:

- offices
- cashier wickets
- conference room
- computer and data processing area
- production facilities
- storage rooms
- information area
- studio
- lunch room
- dressing rooms

SIGNAGE

Any signage on the property or building shall be approved by the Director of Planning prior to installation

SCHEDULE A1 MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK

BYLAW NO. 8332-20-886

A BYLAW OF THE CITY OF REGINA TO
AMEND BYLAW NO. 7878

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

THAT Section 13 of the City of Regina Zoning Bylaw No. 7878 be and the same is hereby amended as follows:

1. THAT Section 13, Zoning Controls Map, be amended to show the following zoning with reference to Block A, Plan No. 78R44627, 4141 - 25th Avenue:

   a) That Block A, in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada, as the same is shown on a plan of record in the Land Titles Office for the Regina Land Registration District as No. 78R44627, presently zoned AR - Airport Restricted be rezoned to (C) - Contract Zone.

2. THAT the Mayor and the City Clerk of the Corporation of The City of Regina be and they are hereby authorized to execute under seal an Agreement in writing, re Contract Zoning, between The City of Regina and Saskatchewan Government Insurance, which Agreement shall be marked "X", attached hereto and form part of this Bylaw.

READ A FIRST TIME THIS 3rd DAY OF November A.D. 1986

READ A SECOND TIME THIS 3rd DAY OF November A.D. 1986

READ A THIRD TIME AND PASSED THIS 3rd DAY OF November A.D. 1986.

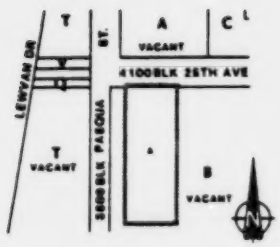
(SGD.) L.P. SCHNEIDER
Mayor

(SGD.) G.R. DAY
City Clerk

CERTIFIED A TRUE COPY

City Clerk

Approved as to form this 22nd day of October, 1986


T
ST.
A
VACANT
C
4100BLK 28TH AVE
LEWYAN DR
T
VACANT
3600 BLK PARQUIA
B
VACANT
N

THIS AGREEMENT MADE THIS 14th day of October A.D. 1986
pursuant to Section 82 of The Planning and Development Act, 1983, ss. Ch P. 131

BETWEEN:

THE CITY OF REGINA
(hereinafter referred to as the "City")

OF THE FIRST PART

- and -

SASKATCHEWAN GOVERNMENT INSURANCE
being a crown corporation incorporated
pursuant to the provisions of the
Saskatchewan Government Insurance Act
ss. Ch S. 191 with head offices in the
City of Regina, in the Province of
Saskatchewan
(hereinafter referred to as the "applicant")

OF THE SECOND PART

WHEREAS the City has an approved development plan as contemplated in Section 82 of the Planning and Development Act, 1983 that contains guidelines applicable to contract zoning.

AND WHEREAS the Applicant has applied to the City to have the lands legally described as:

The Whole of Block "A"
Regina, Saskatchewan
Plan 78R44627

Mines and Minerals excepted by 78R47868

which lands and buildings have the civic address of 4141 - 25th Avenue, rezoned from AR - Airport Restricted Zone to (C) - Contract Zone to permit the carrying out of a proposal described in Schedule "A" attached hereto and forming part of this agreement.

AND WHEREAS the applicant is by virtue of an Offer to Purchase dated the 14th day of October, A.D. 1986, made with SASKATCHEWAN CO-OPERATIVE FINANCIAL SERVICES LIMITED entitled to be the registered owner of the lands.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the sum of $1.00 paid by the applicant to the City, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the mutual covenants herein specified the parties hereto agree as follows:

1. PREAMBLE

The preamble to this agreement shall be and doth form an integral part of this agreement.

2. THE PROPOSAL

The applicant shall utilize the lands and buildings in accordance with the proposal attached hereto as Schedule "A" and no use or development of land or building may take place except in accordance with this agreement and the schedules attached hereto.

3. SOLE AGREEMENT

This agreement contains the entire and only agreement between the parties respecting the subject lands and any representations, promise or condition in connection therewith not incorporated herein shall not be binding upon the parties. The agreement supercedes all pre-existing agreements or arrangements between the parties relating to the lands and no changes or erasure shall be valid or binding upon either party. It is further declared by both parties that there are no oral or other agreements or understandings between them affecting this agreement or related to the above lands.

4. USUAL MEANING

This agreement shall be interpreted according to the ordinary and usual meaning of the words thereof unless otherwise defined and notwithstanding any useage or custom to the contrary.

5. DEPARTURE OR WAIVER

No departure or waiver of the terms of this agreement shall be deemed to authorize any prior or subsequent departure or waiver and the City shall not be obligated to continue any departure or waiver or permit subsequent departure or waiver. No alteration or modification of any of the provisions of this agreement shall be binding unless the same be in writing and signed by the parties.

6. COMPLIANCE WITH LAWS OTHER THAN ZONING

The applicant agrees to comply with and to conform to the requirements of every applicable statute, law, bylaw and order during its use or occupancy of the lands, which govern the lands and the facility and not to use either for any unlawful purpose.

7. SEVERABILITY OF AGREEMENT

If any covenant and/or provision of this agreement is deemed to be void or unenforceable in whole or in part, it shall not be deemed to affect or impair the validity of any other covenant or provision of this agreement.

8. LAW OF AGREEMENT

This agreement shall be governed and interpreted exclusively in accordance with the laws of the Province of Saskatchewan.

9. EFFECTIVE DATE OF AGREEMENT

The effective date of this agreement shall be the date first above written, it being understood by the applicant that the "lands" shall not be effectively rezoned until this agreement is registered by way of Caveat against the "lands".

10. AMENDMENT OF AGREEMENT

The Council of the City of Regina may, on application by the person who entered into this agreement pursuant to Section 82 of The Planning and Development Act or any subsequent owner of the land to which this agreement pertains:

(a) vary the agreement
(b) enter into a new agreement, or
(c) extend any time limit established in this agreement.

11. NOTICE

Any notice required to be given by either party to the other under the terms hereof shall be in writing and may be delivered personally or mailed in a properly stamped and addressed envelope to the party to be notified at the address hereinbefore set out. The address of the applicant and the City are as follows:

(a) Saskatchewan Government Insurance ...

2260 - 11th Avenue
Regina, Saskatchewan
S4P 0J9

(b) The City...

The Director of Planning
City of Regina
P.O. Box 1790
Regina, Sask. S4P 3C8

12. LIABILITY ON TERMINATION AND INDEMNITY

In the event or termination of this agreement pursuant to 82(6) of The Planning and Development Act, 1983, the City shall not be liable to the applicant for any compensation, reimbursement or damages or account of profit or account of expenditures in connection with the lands.

13. The parties acknowledge that this Agreement is made pursuant to Section 82 of The Planning and Development Act, 1983. The applicant agrees that the City shall register a caveat against the site to protect its interest as soon as possible following execution of this agreement in accordance with that section. Such caveat shall register in preference to all other encumbrances against the site same and except those acceptable to the solicitors for the City of Regina.

IN WITNESS WHEREOF the applicant has affixed its corporate seal as attested to by its proper signing officers duly authorized in that behalf and the City has affixed its corporate seal as attested to by its Mayor and City Clerk on the day and year first above written.

THE CITY OF REGINA

Mayor

City Clerk

SASKATCHEWAN GOVERNMENT INSURANCE

by Vice President - Claims

by Vice President - Finance

1538

SCHEDULE "A"

THE APPLICANT'S PROPOSAL

The applicant shall utilize the existing building and construct an addition to the South end of the existing building to accommodate a claims centre in accordance with the plans prepared by BLM Architects Ltd. attached hereto as Schedule "A-1". The building and its associated setbacks, elevation, and parking arrangment shall be as shown on Schedule "A-1", which schedule forms an integral part of this agreement. No alteration of the plans attached hereto shall be permitted without the prior consent of the City of Regina in writing and upon the rezoning of the land none of the land or buildings shall be developed, used or alterated except in accordance with this agreement, the terms and conditions hereof and any time limits prescribed hereby.

Construction of the addition to the building shall commence at least six months after the date of registration of this agreement by caveat at the Land Titles Office and construction shall be fully complete within one year of said date.

The applicant shall submit a detailed landscape plan to the City within three months of the date of this agreement which plan shall be in accordance with the requirements of the City and must be approved by the Director of Parks and Recreation of the City. The landscaping shall be fully completed in accordance with the approved plan within one year of the date that this agreement is registered by caveat in the Land Titles Office.

The applicant is aware of the restrictions contained in the notice registered against the property by the Department of Transport.

USES

The uses of the land and building (as shown on Schedule "A-1" attached hereto and forming part of this agreement) permitted pursuant to this agreement are as follows:

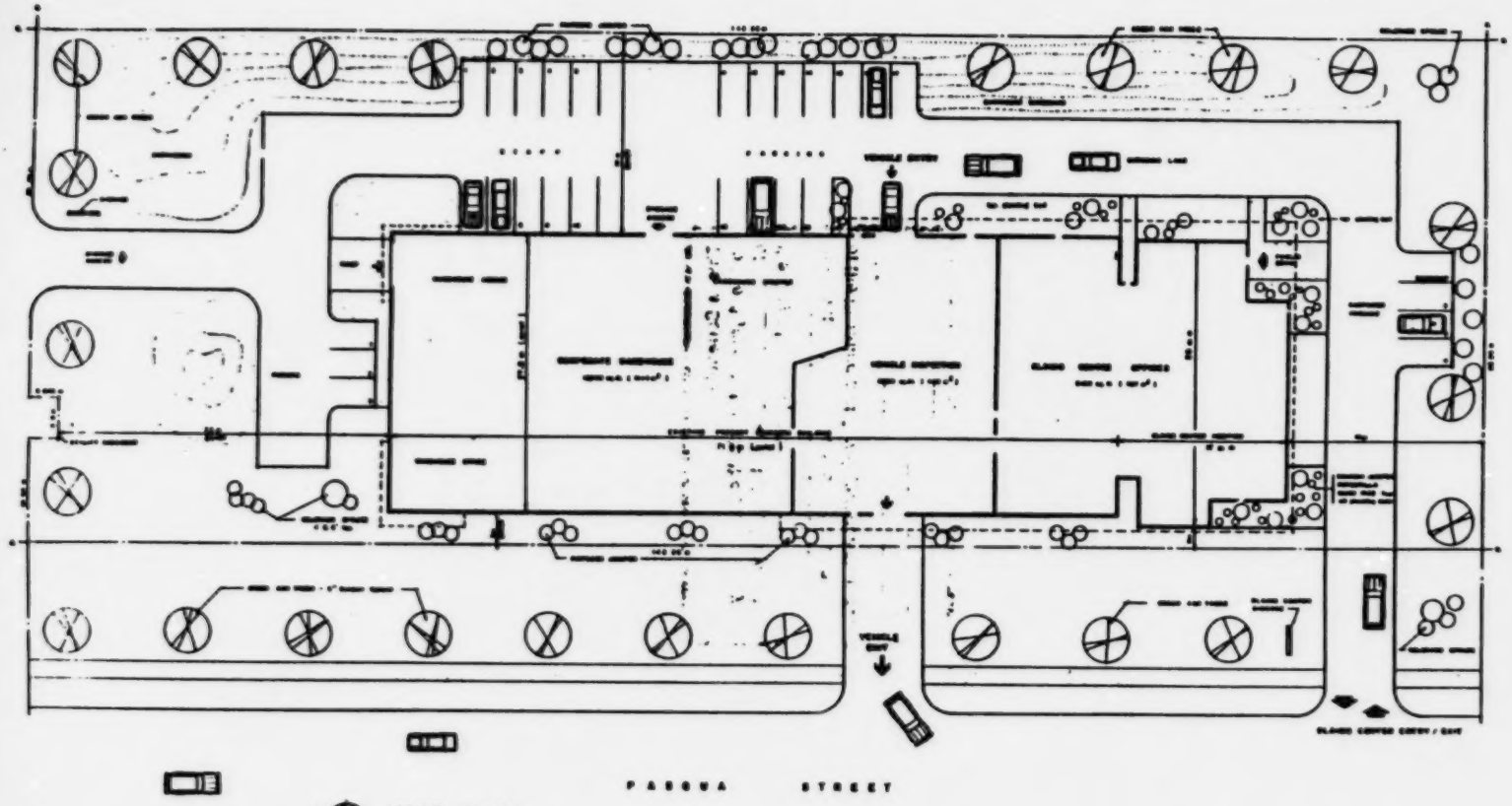
drive-in vehicle inspection centre
together with associated office and
corporate store use.

SIGNAGE

Signage shall be limited to two (2) signs with a maximum allowable size of $1.4m^2$ for each sign.

ACCESS

Any change in the existing access points to the subject property shall be subject to City regulations and requires the approval of the Director of Public Works and Engineering. In order for access to be obtained to Pasqua Street the applicant must lease or acquire lands to the west of the subject property.



SITE PLAN

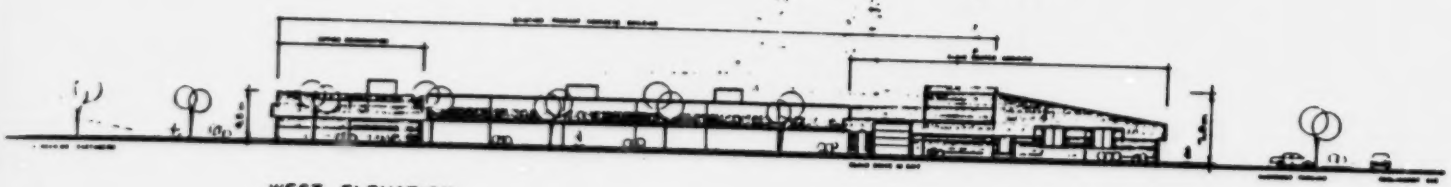
REGINA SOUTH CLAIMS CENTRE

SGIII

NORTH ELEVATION

SOUTH ELEVATION

EAST ELEVATION



WEST ELEVATION

REGINA SOUTH CLAIMS CENTRE

SG

BYLAW NO. 8352-ZO-887

A BYLAW OF THE CITY OF REGINA
TO AMEND BYLAW NO. 7878

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

THAT Section 13 of the City of Regina Zoning By-law No. 7878 be and the same is hereby amended as follows:

1. THAT Section 13, Zoning Controls Map, be amended to show the following zoning with reference to Lot 37 excepting thereout the most southerly sixteen and six-one hundredths feet, and all of Lots 38, 39 and 40, Block 21, Plan H4670, Washington Park, 810 Retallack Street;

   (a) That Lots 37, 38, 39 and 40, in Block 21, in Washington Park, in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada, according to a plan of record in the Land Titles Office for the Regina Land Registration District as No. H4670. Excepting out of the said Lot 37 the most southerly Sixteen and Sixty-six One-hundredths (16.66) feet in width throughout. Minerals included. Presently zoned R3 - Residential Older Neighbourhood be rezoned to (C) - Contract Zone.

2. THAT the Mayor and the City Clerk of the Corporation of the City of Regina be and they are hereby authorized to execute under seal an agreement in writing, re Contract Zoning, between The City of Regina and Gabriel Housing Corporation, which agreement shall be marked "X" attached hereto and form part of this Bylaw.

READ A FIRST TIME THE 5th DAY OF JANUARY A.D. 1987

READ A SECOND TIME THE 5th DAY OF JANUARY A.D. 1987

READ A THIRD TIME AND PASSED THE 5TH DAY OF JANUARY A.D. 1987.

(SGD.) L.P. SCHNEIDER
Mayor

(SGD.) G. R. DAY
City Clerk

(SEAL)

CERTIFIED A TRUE COPY

City Clerk

Approved as to form this.....
day of.....19....
.....
City Solicitor

THIS AGREEMENT MADE THIS 12 day of January A.D. 1987
pursuant to Section 82 of The Planning and Development Act, 1983, ss. Ch P.13]

BETWEEN:

THE CITY OF REGINA
(hereinafter referred to as the "City")

OF THE FIRST PART

- and -

GABRIEL HOUSING CORPORATION
being a non-profit corporation incorporated pursuant to the provisions of The Non-profit Corporations Act ss. Ch N. 4.1 with head offices in the City of Regina, in the Province of Saskatchewan
(hereinafter referred to as the "applicant")

OF THE SECOND PART

WHEREAS the City has an approved development plan as contemplated in Section 82 of the Planning and Development Act, 1983 that contains guidelines applicable to contract zoning.

AND WHEREAS the Applicant has applied to the City to have the lands legally described as:

> Lots 37, 38, 39 and 40 in Block 21, in Washington Park, in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada, according to a Plan of Record in the Land Titles Office for the Regina Land Registration District as No. H 4670 Excepting out of the said Lot 37 the most southerly Sixteen and Sixty-six One-hundredths (16.66) feet in width throughout
>
> Minerals Included

which lands and buildings have the civic address of 810 Retallack Street rezoned from R3 - Residential Older Neighbourhood Zone to (C) - Contract Zone to permit the carrying out of a proposal described in Schedule "A" attached hereto and forming part of this agreement.

AND WHEREAS the applicant is by virtue of an Offer to Purchase dated the 3rd day of October A.D. 1986, made with SASKATCHEWAN HOUSING CORPORATION and CENTRAL MORTGAGE AND HOUSING CORPORATION entitled to be the registered owner of the lands.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the sum of $1.00 paid by the applicant to the City, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the mutual covenants herein specified the parties hereto agree as follows:

1. PREAMBLE

The preamble to this agreement shall be and doth form an integral part of this agreement.

2. THE PROPOSAL

The applicant shall utilize the lands and buildings in accordance with the proposal attached hereto as Schedule "A" and no use or development of land or building may take place except in accordance with this agreement and the schedules attached hereto.

3. SOLE AGREEMENT

This agreement contains the entire and only agreement between the parties respecting the subject lands and any representations, promise or condition in connection therewith not incorporated herein shall not be binding upon the parties. The agreement supercedes all pre-existing agreements or arrangements between the parties relating to the lands and no changes or erasure shall be valid or binding upon either party. It is further declared by both parties that there are no oral or other agreements or understandings between them affecting this agreement or related to the above lands.

4. USUAL MEANING

This agreement shall be interpreted according to the ordinary and usual meaning of the words thereof unless otherwise defined and notwithstanding any useage or custom to the contrary.

5. DEPARTURE OR WAIVER

No departure or waiver of the terms of this agreement shall be deemed to authorize any prior or subsequent departure or waiver and the City shall not be obligated to continue any departure or waiver or permit subsequent departure or waiver. No alteration or modification of any of the provisions of this agreement shall be binding unless the same be in writing and signed by the parties.

6. COMPLIANCE WITH LAWS OTHER THAN ZONING

The applicant agrees to comply with and to conform to the requirements of every applicable statute, law, bylaw and order during its use or occupancy of the lands, which govern the lands and the facility and not to use either for any unlawful purpose.

7. SEVERABILITY OF AGREEMENT

If any covenant and/or provision of this agreement is deemed to be void or unenforceable in whole or in part, it shall not be deemed to affect or impair the validity of any other covenant or provision of this agreement.

8. LAW OF AGREEMENT

This agreement shall be governed and interpreted exclusively in accordance with the laws of the Province of Saskatchewan.

9. EFFECTIVE DATE OF AGREEMENT

The effective date of this agreement shall be the date first above written, it being understood by the applicant that the "lands" shall not be effectively rezoned until this agreement is registered by way of Caveat against the "lands".

10. AMENDMENT OF AGREEMENT

The Council of the City of Regina may, on application by the person who entered into this agreement pursuant to Section 82 of The Planning and Development Act or any subsequent owner of the land to which this agreement pertains:

(a) vary the agreement
(b) enter into a new agreement, or
(c) extend any time limit established in this agreement.

11. NOTICE

Any notice required to be given by either party to the other under the terms hereof shall be in writing and may be delivered personally or mailed in a properly stamped and addressed envelope to the party to be notified at the

address hereinbefore set out. The address of the applicant and the City are as follows:

(a) Gabriel Housing Corporation
1515 Park Street
Regina, Saskatchewan, S4N 2E9

(b) The City....

The Director of Planning
City of Regina
P.O. Box 1790
Regina, Saskatchewan, S4P 3C8

12. LIABILITY ON TERMINATION AND INDEMNITY

In the event of termination of this agreement pursuant to 82(6) of The Planning and Development Act, 1983, the City shall not be liable to the applicant for any compensation, reimbursement or damages or account of profit or account of expenditures in connection with the lands.

13. The parties acknowledge that this Agreement is made pursuant to Section 82 of The Planning and Development Act, 1983. The applicant agrees that the City shall register a caveat against the site to protect its interest as soon as possible following execution of this agreement in accordance with that section. Such caveat shall register in preference to all other encumbrances against the site save and except those acceptable to the solicitors for the City of Regina.

IN WITNESS WHEREOF the applicant has affixed its corporate seal as attested to by its proper signing officers duly authorized in that behalf and the City has affixed its corporate seal as attested to by its Mayor and City Clerk on the day and year first above written.

THE CITY OF REGINA

Mayor

City Clerk

GABRIEL HOUSING CORPORATION

GABRIEL HOUSING CORPORATION Seal

1581

SCHEDULE "A"

THE APPLICANT'S PROPOSAL

The applicant shall construct a six suite, one storey senior citizens apartment in accordance with the plans prepared by Mews Corporation, attached hereto as Schedule "A-1". The building and its associated setbacks, elevation and parking arrangement shall be as shown on Schedule "A-1", which schedule forms an integral part of this agreement. No alteration of the plans attached hereto shall be permitted without the prior consent of the City of Regina in writing and upon the rezoning of the land none of the land or buildings shall be developed, used or alterated except in accordance with this agreement, the terms and conditions hereof and any time limits prescribed hereby.

The applicant shall submit a detailed landscape plan to the City within three months of the date of this agreement which plan shall be in accordance with the requirements of the City and must be approved by the Director of Parks and Recreation of the City. The landscaping shall be fully completed in accordance with the approved plan within two years of the date that this agreement is registered by caveat in the Land Titles Office.

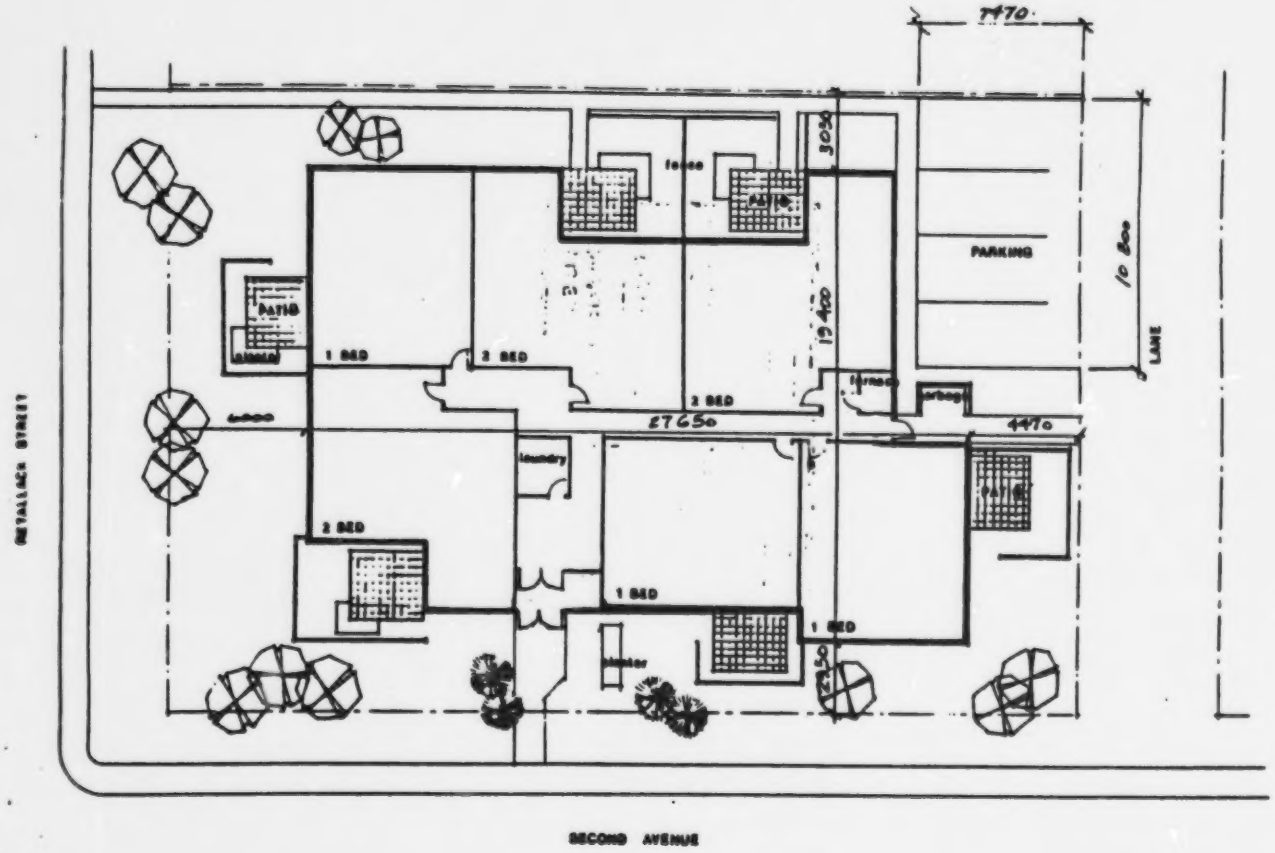
USES

The use of the land and building (as shown on Schedule "A-1" attached hereto and forming part of this agreement) permitted pursuant to this agreement is as follows:

senior citizens apartment.

PARKING

The parking area shall be suitably paved with parking arrangement as shown on Schedule "A-1" attached hereto.


7470
3050
fence
PARKING
10 800
LANE
PATIO
1 BED
2 BED
2 BED
19400
fence
ET650
4470
laundry
2 BED
1 BED
1 BED
12450
METALLACA STREET
SECOND AVENUE

SITE PLAN

BYLAW NO. 8411-ZO-887

A BYLAW OF THE CITY OF REGINA TO
AMEND BYLAW NO. 7878

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

THAT Section 13 of the City of Regina Zoning Bylaw No. 7878 be and the same is hereby amended as follows:

1. THAT Section 13, Zoning Bylaw Maps, be amended to show the following zoning with reference to:

   a) Lots 8 to 10, both inclusive, in Block 32, in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada, as shown on a plan of record in the Land Titles Office for the Regina Land Registration District as No. AS5547 zoned I - Institutional Zone be rezoned to C - Contract Zone which bears the civic address 4936 - 4th Avenue.

2. THAT the Mayor and the City Clerk of the Corporation of The City of Regina be and they are hereby authorized to execute under seal an Agreement in writing, re Contract Zoning, between the City of Regina and Lanigan Holdings Ltd., which Agreement shall be marked "X", attached hereto and form part of this Bylaw.

READ A FIRST TIME THIS 13th DAY OF April A.D. 1987.

READ A SECOND TIME THIS 13th DAY OF April A.D. 1987.

READ A THIRD TIME AND PASSED THIS 13th DAY OF April A.D. 1987.

(SGD.) L.P. SCHNEIDER
Mayor

(SGD.) G.R. DAY
City Clerk

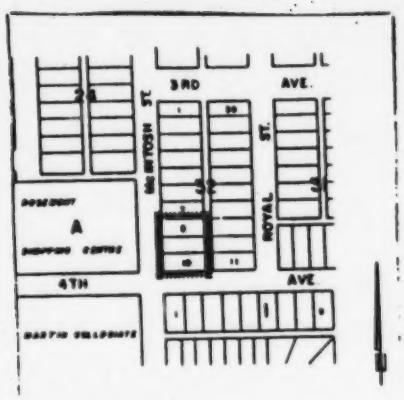
(SEAL)

CERTIFIED A TRUE COPY

City Clerk

day of March 1987

City Solicitor


3RD
AVE.
ST.
ROYAL
AVE
4TH
A

THIS AGREEMENT made this 5 day of MARCH A.D. 1987 pursuant to the provisions of Section 82 of The Planning and Development Act, 1983, s.s. Ch p.131

BETWEEN:

THE CITY OF REGINA
(hereinafter referred to as
the "City")

OF THE FIRST PART

- and -

LANIGAN HOLDINGS LTD.
being a corporation duly incorporated
pursuant to the laws of the Province
of Saskatchewan and having its head
office in the City of Regina, in the
Province of Saskatchewan
(hereinafter referred to as the
"applicant")

OF THE SECOND PART

WHEREAS the City has an approved development plan as contemplated in Section 82 of The Planning and Development Act, 1983 that contains guidelines applicable to contract zoning.

AND WHEREAS the Applicant has applied to the City to have the lands legally described:

Lots Eight (8), Nine (9) and Ten (10), in Block Thirty-two (32), in Transcona, in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada, according to a Plan of Record in the Land Titles Office for the Regina Land Registration District as No. AS 5547
MINERALS INCLUDED

(hereinafter referred to as the "lands and buildings")

which lands and buildings are civically known as 4936 - 4th Avenue, rezoned from I - Institutional to C - Contract Zoning to permit the carrying out of a proposal as described as Schedule "A" attached hereto and forming part of this agreement.

AND WHEREAS the applicant has by virtue of an Offer to Purchase dated the 19th day of January, A.D. 1987, made with the present owners of the property, a right and interest in the lands

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the sum of $1.00 paid by the applicant to the City, the receipt and sufficiency of which is hereby acknowledged kand in consideration of the mutual covenants herein specified the parties hereto agree as follows:

1. PREAMBLE

The preamble to this agreement shall be and doth form an integral part of this agreement.

2. THE PROPOSAL

The Applicant shall utilize the lands and buildings in accordance with the proposal attached hereto as Schedule "A" and no use or development of the land or building may take place except in accordance with this agreement and the schedules attached hereto.

3. SOLE AGREEMENT

This agreement contains the entire and only agreement between the parties respecting the subject lands and any representations, promise or condition in connection therewith not incorporated herein shall not be binding upon the parties. The agreement supercedes all pre-existing agreements or arrangements between the parties relating to the lands and no change or erasure shall be valid or binding upon either party. It is further declared by both parties that there are no oral or other agreements or understandings between them affecting this agreement or related to the above lands.

4. USUAL MEANING

The agreement shall be interpreted according to the ordinary and usual meaning of the words thereof unless otherwise defined and notwithstanding any useage or custom to the contrary.

5. DEPARTURE OR WAIVER

No departure or waiver of the terms of this agreement shall be deemed to authorize any prior or subsequent departure or waiver and the City shall not be obligated to continue any departure or waiver or permit subsequent departure or waiver. No alteration or modification of any of the provisions of this agreement shall be binding unless the same be in writing and signed by the parties.

6. COMPLIANCE WITH LAWS OTHER THAN ZONING

The Applicant agrees to comply with and to conform to the requirements of every applicable statute, law, bylaw and order during its use or occupancy of the lands, which govern the lands and the facility and not to use either for any unlawful purpose.

7. SEVERABILITY OF AGREEMENT

If any covenant and/or provision of this agreement is deemed to be void or unenforceable in whole or in part, it shall not be deemed to affect or impair the validity of any other covenant or provision of this agreement.

8. LAW OF AGREEMENT

This agreement shall be governed and interpreted exclusively in accordance with the laws of the Province of Saskatchewan.

9. EFFECTIVE DATE OF AGREEMENT

The effective date of this agreement shall be the date first above written, it being understood by the applicant that the "lands" shall not be effectively rezoned until this agreement is registered by way of caveat against the "lands".

10. AMENDMENT OF AGREEMENT

The Council of the City of Regina may, on application by the person who entered into this agreement pursuant to Section 82 of The Planning and Development Act, or any subsequent owner of the land to which this agreement pertains:

(a) vary the agreement

(b) enter into a new agreement, or

(c) extend any time limit established in this agreement.

11. NOTICE

Any notice required to be given by either party to the other under the terms hereof shall be in writing and may be delivered personally or mailed in a properly stamped and addressed envelope to the party to be notified at the

address hereinbefore set out. The addresses of the Applicant and the City are as follows:

(a)	The Applicant	Lanigan Holdings Ltd. c/o Wilson - Drummond Barristers and Solicitors 1560 - 2002 Victoria Avenue Regina, Saskatchewan S4P 0R7
(b)	The City	Director of Planning City Hall P. O. Box 1790 Regina, Saskatchewan S4P 3C8

12. LIABILITY ON TERMINATION AND INDEMNITY

In the event of termination of this agreement the City shall not be liable to the Applicant for any compensation, reimbursement or damages or account of profit or account of expenditures in connection with the lands.

13. The parties acknowledge that this Agreement is made pursuant to Section 82 of the Planning and Development Act, 1983. The Applicant agrees that the City may register a caveat against the site to protect its interest in accordance with that section. Such caveat shall register in preference to all other encumbrances against the site save and except those acceptable to the solicitors for the City of Regina.

IN WITNESS WHEREOF the Applicant has affixed its corporate seal as attested to by its proper signing officers duly authorized in that behalf and the City has affixed its corporate seal as attested to by its Mayor and City Clerk on the day and year first above written.

LANIGAN HOLDINGS LTD.

THE CITY OF REGINA

Mayor

City Clerk

1685

SCHEDULE "A"

THE APPLICANT'S PROPOSAL

The Applicant shall construct a one storey building on the site, comprised of a medical and dental clinic (with permitted uses specified below) in accordance with the plans prepared by The House of Design and Drafting, which plans include plans for a proposed future addition, attached hereto as Schedule "A-1".

The one storey building and the proposed addition, its associated setbacks, its paved parking layout and the fence design and positioning on the site shall be in accordance with the plans prepared by The House of Design and Drafting, Consulting Engineers, attached hereto as Schedule "A-1".

No alteration of the plans attached hereto shall be permitted without the prior consent of the City of Regina in writing and upon the rezoning of the land, none of the land or building shall be developed or used except in accordance with the proposal, terms and conditions and time limits prescribed in this agreement.

Upon completion of construction of the one storey building no major structural additions to the building shall be permitted except in accordance with the future addition as shown on the plans submitted by the applicant or without the prior consent of the City of Regina in writing. All existing landscaping at the time of the future addition shall be repaired to the original state upon completion of construction of the addition.

Construction of the one storey building shall commence at least three months after the date of registration of this agreement by caveat at the Land Titles Office and construction shall be fully completed within one year of the said date.

USES

The uses of the lands and building (as shown on Schedule "A-1" attached hereto and forming part of this agreement), permitted pursuant to this agreement are as follows:

FOR THE FIRST TEN YEARS of the life of this agreement, commencing from the date the agreement is registered by caveat in the Land Titles Office, the building shall be used exclusively as a Medical/Dental Clinic including use as a medical clinic, dental clinic, chiropractic clinic, physiotheraphy clinic or optometrist clinic and related accessory uses.

FOR ALL YEARS SUBSEQUENT to the first ten years of the life of this agreement the building may be used as a

I. Medical/Dental Clinic, or as a

II. Professional Office, which shall mean an office where non-retail business affairs are conducted for the following purposes:

a) administration
b) general business
c) professional services
d) legal offices
e) real estate and insurance offices

Any form of retailing as a principal use is specifically prohibited at any time.

SIGNAGE

Any signage on the property or building shall be approved by the Director of Planning prior to installation.

PARKING

(a) All parking areas shall be suitably paved and parking stalls thereon clearly demarcated.

(b) Prior to the utilization of the parking areas pre-cast curbing shall be constructed in all parking stalls that abut the walkways to the building three feet from the edge of the walkways.

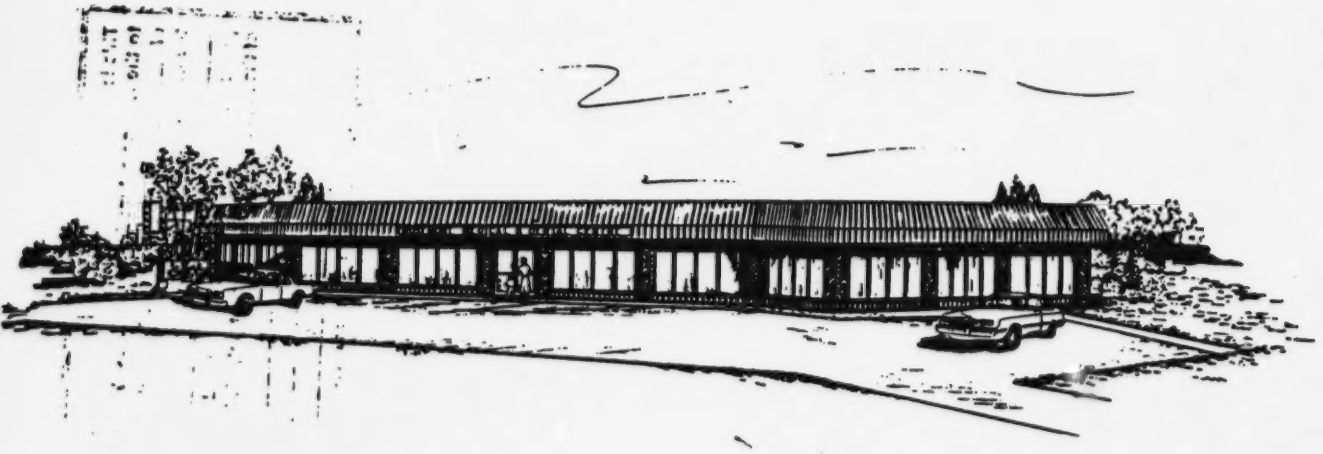
LANDSCAPING

Landscaping shall be in accordance with a landscape plan which must be approved by the Directore of Parks and Recreation prior to the issuance of a development permit for the building to be constructed.

The landscape plan shall identify all plant materials, the size of the plants and the type and the location of the fence to be installed on the northern property line.

The property to be landscaped shall include the areas where the proposed addition will eventually be located.

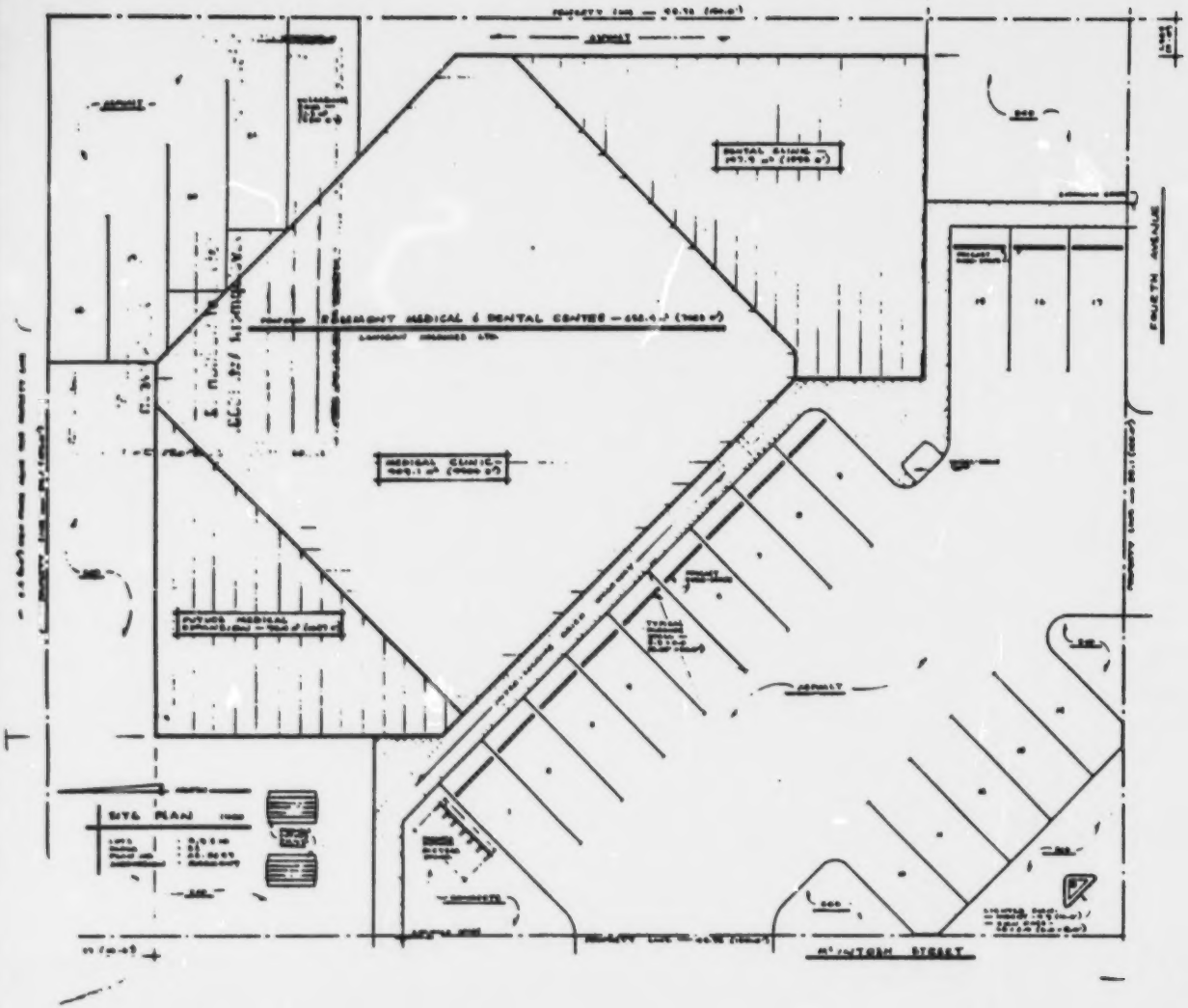
The required landscaping shall be fully completed in accordance with the approved landscape plan within one year of the date this agreement is registered by caveat in the Land Titles Office.

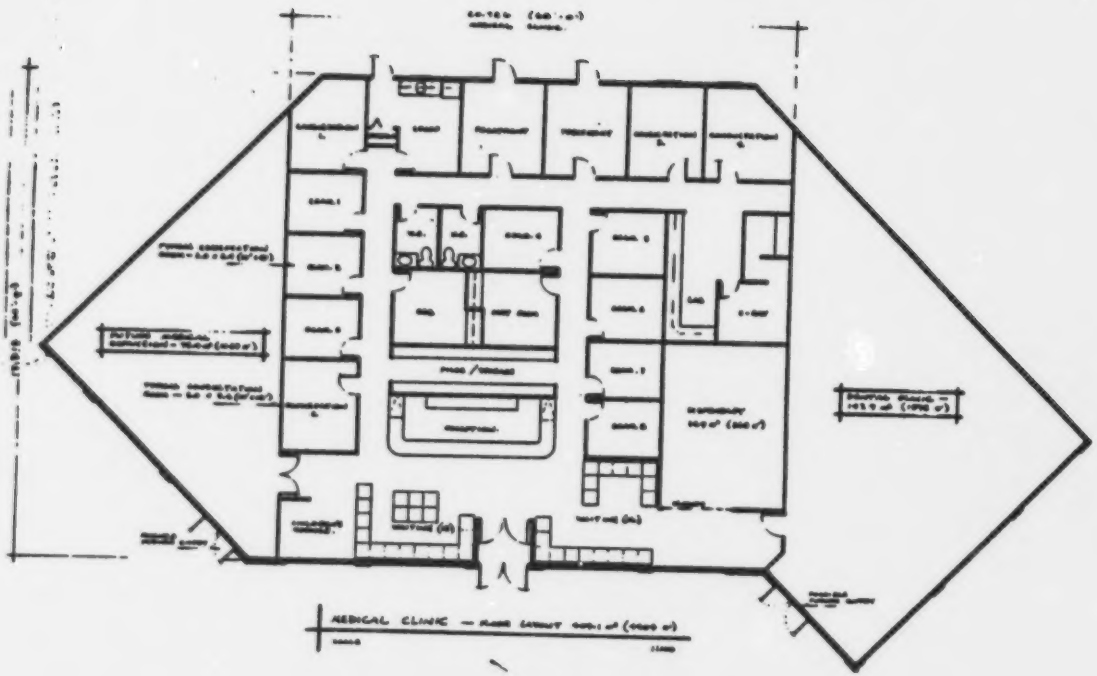


THE HOUSE
Design & Drafting

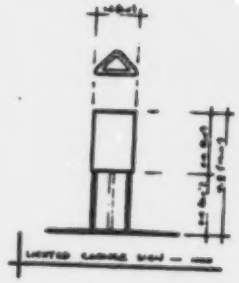
LONIGAN HOLDINGS LTD.

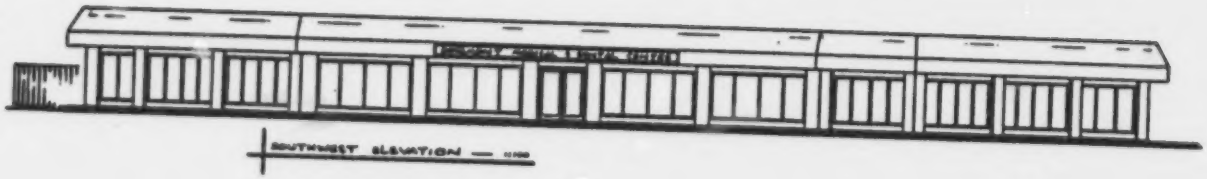
FREMONT MEDICAL & DENTAL CENTER

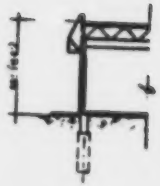

SITE PLAN
FOURTH AVENUE
McINTOSH STREET



MEDICAL CLINIC — PLANS




SOUTHWEST ELEVATION



BYLAW NO. 8415 -ZO-887

A BYLAW OF THE CITY OF REGINA TO AMEND BYLAW NO. 7878

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

THAT Section 13 of the City of Regina Zoning Bylaw No. 7878 be and the same is hereby amended as follows:

1. THAT Section 13, Zoning Bylaw Maps, be amended to show the following zoning with reference to:

   a) Lots 1 to 7, both inclusive, in Block 356, in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada, as the same is shown on a plan of record in the Land Titles Office for the Regina Land Registration District as Old No. 33, presently zoned R4AH32 - Residential Older Neighbourhood, height of 32 metres, be rezoned to C - Contract Zone which bears the civic address 1035 Victoria Avenue.

3. THAT the Mayor and the City Clerk of the Corporation of The City of Regina be and they are hereby authorized to execute under seal an Agreement in writing, re Contract Zoning between The City of Regina and The Grace Evangelical Lutheran Church of Regina, Saskatchewan which Agreement shall be marked "I", attached hereto and form part of this Bylaw.

READ A FIRST TIME THIS 13th DAY OF April A.D. 19

READ A SECOND TIME THIS 13th DAY OF April A.D. 19

READ A THIRD TIME AND PASSED THIS 13th DAY OF April A.D. 1987.

(SGD.) L.P. SCHNEIDER
Mayor

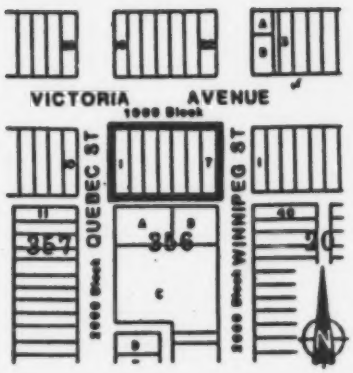
(SGD.) G.R. DAY
City Clerk

(S

CERTIFIED A TRUE COPY

City Clerk

Approved as to form this 13th day of March, 1987
K.M. Morrison
City Solicitor


VICTORIA AVENUE
1000 Block
QUEBEC ST
2000 Block
WINNIPEG ST
2000 Block
356
N

THIS AGREEMENT made this 15th day of April A.D. 1987 pursuant to the provisions of Section 82 of The Planning and Development Act, 1983, s.s. Ch p.131

BETWEEN:

THE CITY OF REGINA
(hereinafter referred to as
the "City")

OF THE FIRST PART

- and -

THE GRACE EVANGELICAL LUTHERAN CHURCH
OF REGINA, SASKATCHEWAN
being a non-profit corporation incorporated
pursuant to the provisions of the Non-Profit
Corporations Act ss. Ch N.4.1 with offices
in the City of Regina, in the Province
of Saskatchewan
(hereinafter referred to as the
"applicant")

OF THE SECOND PART

WHEREAS the City has an approved development plan as contemplated in Section 82 of The Planning and Development Act, 1983 that contains guidelines applicable to contract zoning.

AND WHEREAS the Applicant has applied to the City to have the lands owned by it, legally described as:

Lots One (1) to Seven (7), both inclusive, in
Block Three Hundred and Fifty-six (356) in the City of
Regina, in the Province of Saskatchewan, in the
Dominion of Canada, according to a Plan of Record
in the Land Titles Office for the Regina Land
Registration District as No. Old 33
MINERALS IN THE CROWN

(hereinafter referred to as the "lands and buildings")

which lands and buildings are civically known as 1035 Victoria Avenue, rezoned from R4AH32 - Residential Older Neighbourhood, Height of 32 metres, to C - Contract Zoning to permit the carrying out of a proposal as described in Schedule "A" attached hereto and forming part of this agreement.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the sum of $1.00 paid by the applicant to the City, the receipt and sufficiency of which is hereby acknowledged and in consideration of the mutual covenants herein specified the parties hereto agree as follows:

1. PREAMBLE

The preamble to this agreement shall be and doth form an integral part of this agreement.

2. THE PROPOSAL

The Applicant shall utilize the lands and buildings in accordance with the proposal attached hereto as Schedule "A" and no use or development of the land or building may take place except in accordance with this agreement and the schedules attached hereto.

3. SOLE AGREEMENT

This agreement contains the entire and only agreement between the parties respecting the subject lands and any representations, promise or condition in connection therewith not incorporated herein shall not be bindi upon the parties. The agreement supercedes all pre-existing agreements or arrangements between the parties relating to the lands and no change or erasure shall be valid or binding upon either party. It is further declared by both parties that there are no oral or other agreements or understandings between them affecting this agreement or related to the above lands.

4. USUAL MEANING

The agreement shall be interpreted according to the ordinary and usual meaning of the words thereof unless otherwise defined and notwithstanding an usage or custom to the contrary.

5. DEPARTURE OR WAIVER

No departure or waiver of the terms of this agreement shall be deemed to authorize any prior or subsequent departure or waiver and the City shall not be obligated to continue any departure or waiver or permit subsequent departure or waiver. No alteration or modification of any of the provisions of this agreement shall be binding unless the same be in writing and signed by the parties.

6. COMPLIANCE WITH LAWS OTHER THAN ZONING

The Applicant agrees to comply with and to conform to the requirements of every applicable statute, law, bylaw and order during its use or occupancy of the lands, which govern the lands and the facility and not to use either for any unlawful purpose.

7. SEVERABILITY OF AGREEMENT

If any covenant and/or provision of this agreement is deemed to be void or unenforceable in whole or in part, it shall not be deemed to affect or impair the validity of any other covenant or provision of this agreement.

8. LAW OF AGREEMENT

This agreement shall be governed and interpreted exclusively in accordance with the laws of the Province of Saskatchewan.

9. EFFECTIVE DATE OF AGREEMENT

The effective date of this agreement shall be the date first above written, it being understood by the applicant that the "lands" shall not be effectively rezoned until this agreement is registered by way of caveat against the "lands".

10. AMENDMENT OF AGREEMENT

The Council of the City of Regina may, on application by the person who entered into this agreement pursuant to Section 82 of The Planning and Development Act, or any subsequent owner of the land to which this agreement pertains:

(a) vary the agreement

(b) enter into a new agreement, or

(c) extend any time limit established in this agreement.

11. NOTICE

Any notice required to be given by either party to the other under the terms hereof shall be in writing and may be delivered personally or mailed in a properly stamped and addressed envelope to the party to be notified at the

address hereinbefore set out. The addresses of the Applicant and the City are as follows:

(a)	The Applicant	The Grace Lutheran Church 1035 Victoria Avenue Regina, Saskatchewan S4R 1J3
(b)	The City	Director of Planning City Hall P. O. Box 1790 Regina, Saskatchewan S4P 3C8

12. LIABILITY ON TERMINATION AND INDEMNITY

In the event of termination of this agreement the City shall not be liable to the Applicant for any compensation, reimbursement or damages or account of profit or account of expenditures in connection with the lands.

13. The parties acknowledge that this Agreement is made pursuant to Section 82 of the Planning and Development Act, 1983. The Applicant agrees that the City may register a caveat against the site to protect its interest in accordance with that section. Such caveat shall register in preference to all other encumbrances against the site save and except those acceptable to the solicitors for the City of Regina.

IN WITNESS WHEREOF the Applicant has affixed its corporate seal as attested to by its proper signing officers duly authorized in that behalf and the City has affixed its corporate seal as attested to by its Mayor and City Clerk on the day and year first above written.

THE GRACE EVANGELICAL LUTHERAN CHURCH OF REGINA, SASKATCHEWAN.

Witness

Witness

THE CITY OF REGINA

Mayor

City Clerk

SCHEDULE "A"

The Applicant's Proposal

The applicant shall construct an 11 storey, 68 suite senior citizen's apartment building attached to and located immediately to the east of the existing Grace Lutheran Church in accordance with the plans prepared by Mews Corporation, attached hereto as Schedule "A-1" which schedule forms an integral part of this agreement.

The 11 storey building, its associated setbacks, its paved parking layout and the fence design and positioning along the east boundary of the parking area shall be in accordance with the plans prepared by Mews Corporation, attached hereto as Schedule "A-1".

No alteration of the plans attached hereto shall be permitted without the prior consent of the City of Regina in writing and upon the rezoning of the land, none of the land or building shall be developed or used except in accordance with the proposal, terms and conditions and time limits prescribed in this agreement. Construction of the 11 storey, 68 suite senior citizen's apartment building shall commence at least four months after the date of registration of this agreement by caveat at the Land Titles Office and construction shall be fully completed within eighteen months of the said date.

Upon completion of construction of the 11 storey, 68 suite senior citizen's apartment building no major structural additions to the building shall be permitted except for the possible future parkade as indicated on the plan as attached on Schedule "A-1".

Uses

The uses of the land and building (as shown on Schedule "A-1" attached hereto and forming part of this agreement) permitted pursuant to this agreement are as follows:

One or more of the following uses are permitted

- senior citizen's apartment dwelling units
- church and accessory uses

Signage

Any signage on the property or building shall be approved by the Director of Planning prior to installation.

Landscaping

Landscaping shall be in accordance with a landscape plan which must be approved by the Director of Parks and Recreation prior to the issuance of a development permit for the building to be constructed.

The landscape plan shall identify all plant materials, the size of the plants and the type and location of any fences.

The required landscaping shall be fully completed in accordance with the approved landscape plan within one year of the date this agreement is registered by caveat in the Land Titles Office.

Parking

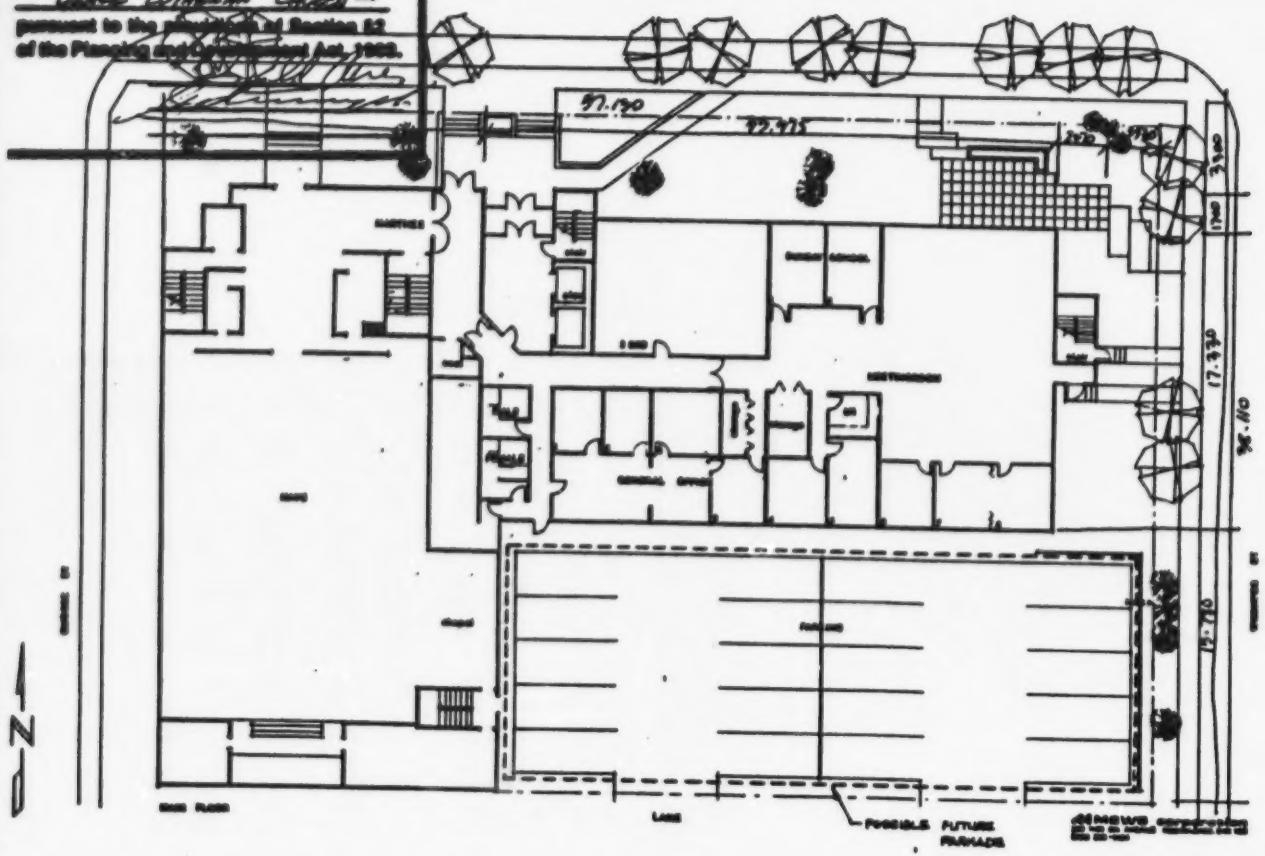
All parking areas shall be suitably paved and parking stalls thereon clearly demarcated.

This is Schedule A-1
to the Agreement made the _____ day
of _____ A.D. 198 7 between
the City of Regina and
GRACE LUTHERAN CHURCH
pursuant to the provisions of Section 82
of the Planning and Development Act, 1983.

GRACE LUTHERAN PLACE

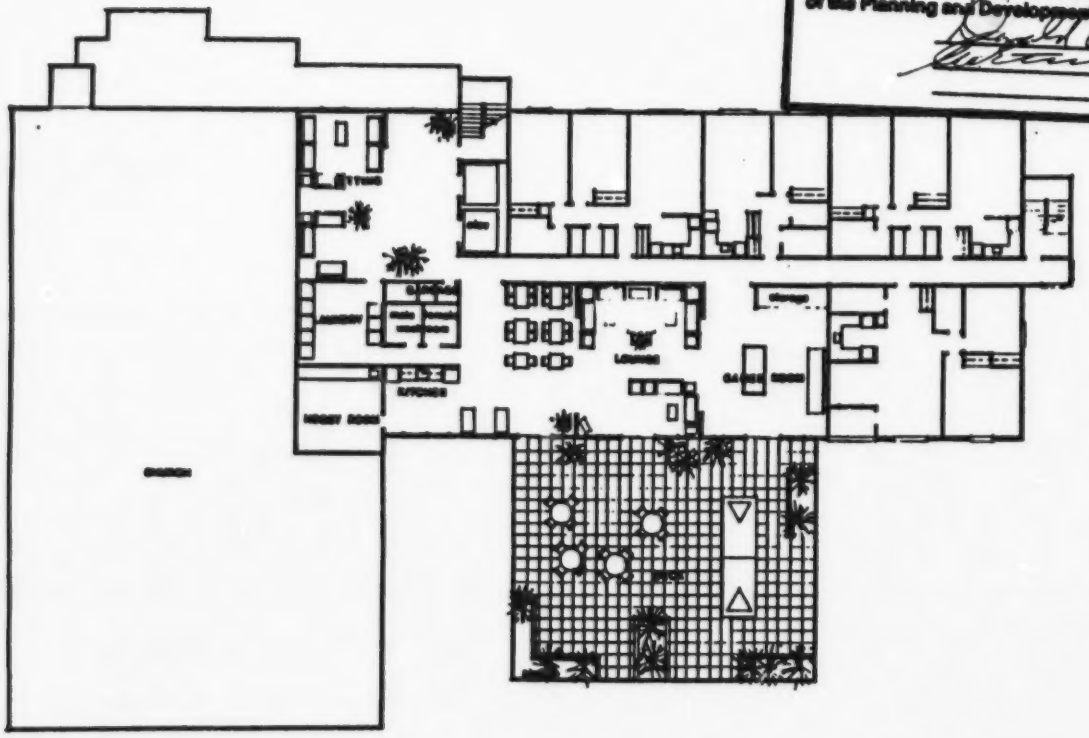
This is Schedule A-1
to the Agreement made the _____ day
of _____ A.D. 19 87 between
the City of Regina and
Grace Lutheran Church
pursuant to the provisions of Section 82
of the Planning and Development Act, 1983.

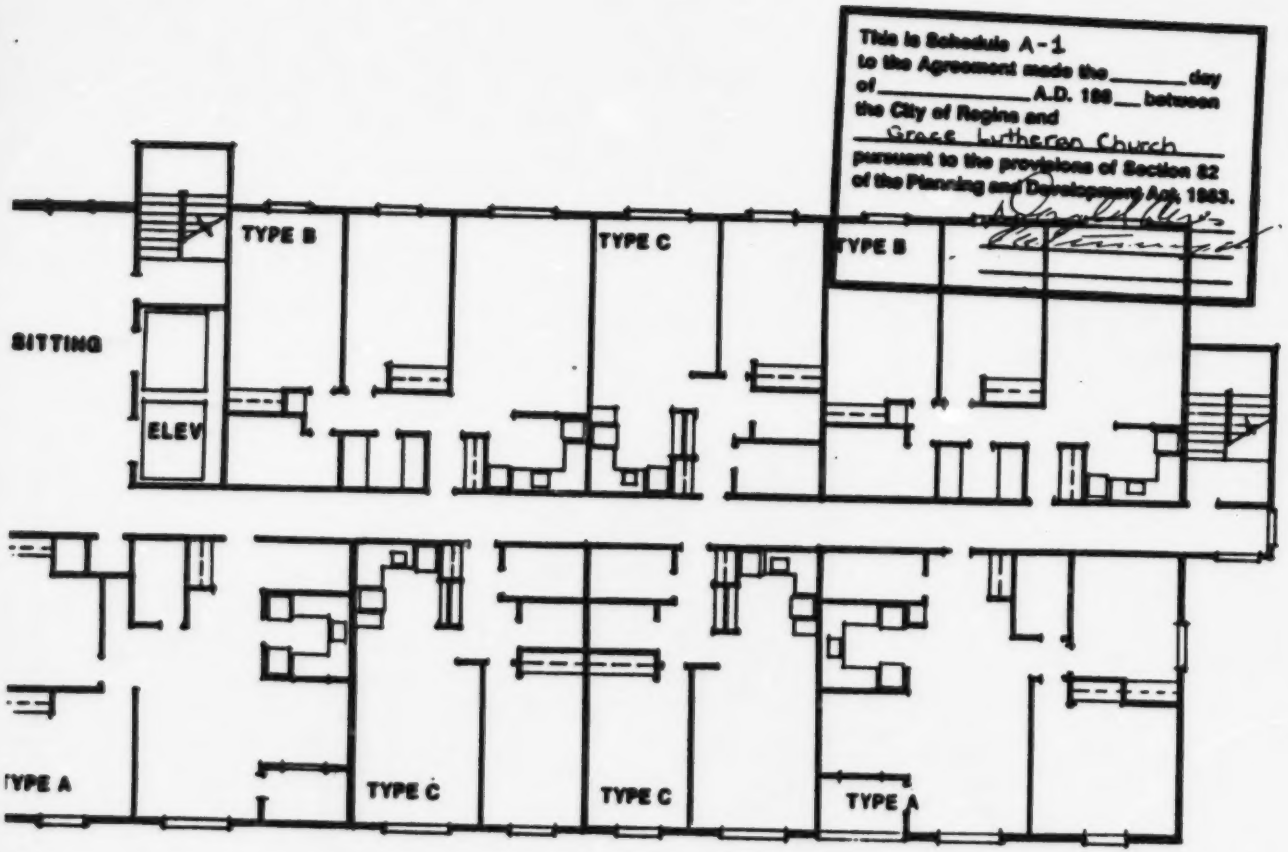
GRACE LUTHERAN PLACE



GRACE LUTHERAN PLACE

This is Schedule A-1
to the Agreement made the _____ day
of _____ A.D. 198__ between
the City of Regina and
Grace Lutheran Church
pursuant to the provisions of Section 82
of the Planning and Development Act, 1983.





TYPICAL FLOOR

BYLAW NO. 8424-ZO-887

A BYLAW OF THE CITY OF REGINA TO
AMEND BYLAW NO. 7878

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

THAT Section 13 of the City of Regina Zoning Bylaw No. 7878 be and the same is hereby amended as follows:

1. THAT Section 13, Zoning Bylaw Maps, be amended to show the following zoning with reference to:

   a) Lots 19 and 20, in Block 245, in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada as the same is shown on a plan of record in the Land Titles Office for the Regina Land Registration District as Old No. 33, zoned B4A - Residential Older Neighbourhood be rezoned to C - Contract Zone which bears the civic address 1689 Toronto Street.

2. THAT the Mayor and the City Clerk of the Corporation of The City of Regina be and they are hereby authorized to execute under seal an Agreement in writing, re Contract Zoning, between The City of Regina and The City of Regina and The South Saskatchewan Irish Club, which Agreement shall be marked "X", attached hereto and form part of this Bylaw and that the Acting Manager of Properties be and he is hereby authorized . . .

   a) to execute the Agreement marked "X", as representative of the City, the owner of the property being zoned C - Contract Zone, and

   b) to execute the lease forming Schedule B to the Agreement marked "X".

READ A FIRST TIME THIS 11th DAY OF May A.D. 1987.

READ A SECOND TIME THIS 11th DAY OF May A.D. 1987.

READ A THIRD TIME AND PASSED THIS 11th DAY OF May A.D. 1987.

Deput (SGD.) W.A. WELLS
Mayor

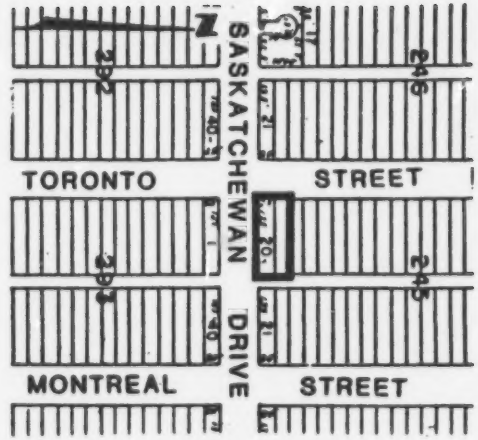
Acting (SGD.) M. TAYLOR
City Clerk

(SE

CERTIFIED A TRUE COPY

City Clerk

Approved as to form this 20th day of March, 1987.
E.W. Thomas
City Solicitor


N
SASKATCHEWAN DRIVE
TORONTO STREET
MONTREAL STREET
246
245
392
394

"X"

THIS AGREEMENT made this 12 day of MAY A.D. 1987 pursuant to the provisions of Section 82 of The Planning and Development Act, 1983, s.s. Ch p.131

BETWEEN:

THE CITY OF REGINA
(hereinafter referred to as
the "City")

THE PARTY OF THE FIRST PART

- and -

THE CITY OF REGINA
as Represented by the Manager
of Properties
(hereinafter referred to as the "Owner)

- and -

THE SOUTH SASKATCHEWAN IRISH CLUB
being a non-profit corporation
incorporated pursuant to the provisions
of the Non-Profit Corporation's Act
ss. Ch N4.1 with offices in the City
of Regina, in the Province of Saskatchewan
(hereinafter referred to as the
"Applicant-lessee)

THE PARTIES OF THE SECOND PART

WHEREAS the City has an approved development plan as contemplated in Section 82 of The Planning and Development Act, 1983 that contains guidelines applicable to contract zoning.

AND WHEREAS the Applicant-lessee has applied to the City to have the lands leased by it, legally described as:

Lots Nineteen (19) and Twenty (20),
in Block Two Hundred and Forty-five (245),
in the City of Regina, in the Province of
Saskatchewan, in the Dominion of Canada,
according to a Plan of Record in the Land
Titles Office for the Regina Land Registration
District as Old No. 33
MINERALS INCLUDED

(hereinafter referred to as the "lands and buildings")

which lands and buildings are civically known as 1689 Toronto Street, rezoned from R4A - Residential Older Neighbourhood to C - Contract Zoning for a period of five years or until the lands are required for civic purposes (whichever date occurs first) to permit the carrying out of a proposal as described in Schedule "A" attached hereto and forming part of this agreement.

AND WHEREAS the Manager of Properties as the leasing authority for the City of Regina, the owner, has consented to the proposal to accommodate the needs of the Applicant-lessee for approximately a five year period or until the lands and buildings shall be required for civic purposes, whichever date occurs first.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the sum of $5.00 paid by the Parties of the Second Part, to the City, the receipt and sufficiency of which is hereby acknowledged and in consideration of the mutual covenants herein specified the parties hereto agree as follows:

1. PREAMBLE

The preamble to this agreement shall be and doth form an integral part of this agreement.

2. THE PROPOSAL

The Applicant shall utilize the lands and buildings in accordance with the proposal attached hereto as Schedule "A" and no use or development of the land or building may take place except in accordance with this agreement and the schedules attached hereto.

3. SOLE AGREEMENT

This agreement together with a lease attached hereto as Schedule "B" contains the entire and only agreement between the parties respecting the subject lands and any representations, promise or condition in connection therewith not incorporated herein shall not be binding upon the parties. The agreement supercedes all pre-existing agreements or arrangements between the parties relating to the lands and no change or erasure shall be valid or binding upon either party. It is further declared by both parties that there are no oral or other agreements or understandings between them affecting this agreement or related to the above lands.

4. USUAL MEANING

The agreement shall be interpreted according to the ordinary and usual meaning of the words thereof unless otherwise defined and notwithstanding any useage or custom to the contrary.

5. DEPARTURE OR WAIVER

No departure or waiver of the terms of this agreement shall be deemed to authorize any prior or subsequent departure or waiver and the City shall not be obligated to continue any departure or waiver or permit subsequent departure or waiver. No alteration or modification of any of the provisions of this agreement shall be binding unless the same be in writing and signed by the parties.

6. COMPLIANCE WITH LAWS OTHER THAN ZONING

The Applicant-lessee agrees to comply with and to conform to the requirements of every applicable statute, law, bylaw and order during its use or occupancy of the lands, which govern the lands and the facility and not to use either for any unlawful purpose.

7. SEVERABILITY OF AGREEMENT

If any covenant and/or provision of this agreement is deemed to be void or unenforceable in whole or in part, it shall not be deemed to affect or impair the validity of any other covenant or provision of this agreement.

8. LAW OF AGREEMENT

This agreement shall be governed and interpreted exclusively in accordance with the laws of the Province of Saskatchewan.

9. EFFECTIVE DATE OF AGREEMENT

The effective date of this agreement shall be the date first above written, it being understood by the applicant that the "lands" shall not be effectively rezoned until this agreement is registered by way of caveat against the "lands".

10. AMENDMENT OF AGREEMENT

The Council of the City of Regina may, on application by the person who entered into this agreement pursuant to Section 82 of The Planning and Development Act, or any subsequent owner of the land to which this agreement pertains:

(a) vary the agreement

(b) enter into a new agreement, or

(c) extend any time limit established in this agreement.

11. NOTICE

Any notice required to be given by any party to the other under the

terms hereof shall be in writing and may be delivered personally or mailed in a properly stamped and addressed envelope to the party to be notified at the address hereinbefore set out. The addresses of the Applicant-lessee, the Manager of Properties and the City are as follows:

(a)	The City	Director of Planning City Hall P. O. Box 1790 Regina, Saskatchewan S4P 3C8
(b)	The Applicant-lessee	The South Saskatchewan Irish Club 3700 Albert Street Regina, Saskatchewan S4S 3P9
	The Owner	The City of Regina c/o Manager of Properties P. O. Box 1790 Regina, Saskatchewan S4P 3C8

12. LIABILITY ON TERMINATION AND INDEMNITY

In the event of termination of this agreement the City shall not be liable to the Applicant for any compensation, reimbursement or damages or account of profit or account of expenditures in connection with the lands.

13. The parties acknowledge that this Agreement is made pursuant to Section 82 of the Planning and Development Act, 1983. The Applicant agrees that the City may register a caveat against the site to protect its interest in accordance with that section. Such caveat shall register in preference to all other encumbrances against the site save and except those acceptable to the solicitors for the City of Regina.

IN WITNESS WHEREOF the Applicant has affixed its corporate seal as attested to by its proper signing officers duly authorized in that behalf and the City has affixed its corporate seal as attested to by its Mayor and City Clerk on the day and year first above written.

THE CITY OF REGINA

Deputy Mayor

Acting City Clerk

THE SOUTH SASKATCHEWAN IRISH CLUB

Witness

Witness

Witness

The Manager of Properties of The City of Regina (Acting)

SCHEDULE "A"

The Applicant's Proposal

The applicant shall not renovate the existing 2 storey building for private club/office uses except in accordance with the plans attached hereto as Schedule "A-1" which schedule forms an integral part of this agreement and except with the written permission of the Manager of Properties.

The building, its associated setbacks and its paved parking layout shall be in accordance with the plans attached hereto as Schedule "A-1".

No alteration of the plans attached hereto shall be permitted without the prior consent of the City of Regina in writing and upon the rezoning of the land, none of the land or building shall be developed or used except in accordance with the proposal, terms and conditions and time limits prescribed in this agreement.

Uses

The uses of the land and building (as shown on Schedule "A-1" attached hereto and forming part of this agreement) permitted pursuant to this agreement are as follows:

The following use is the only permitted use allowed:

- private club and related office use

Signage

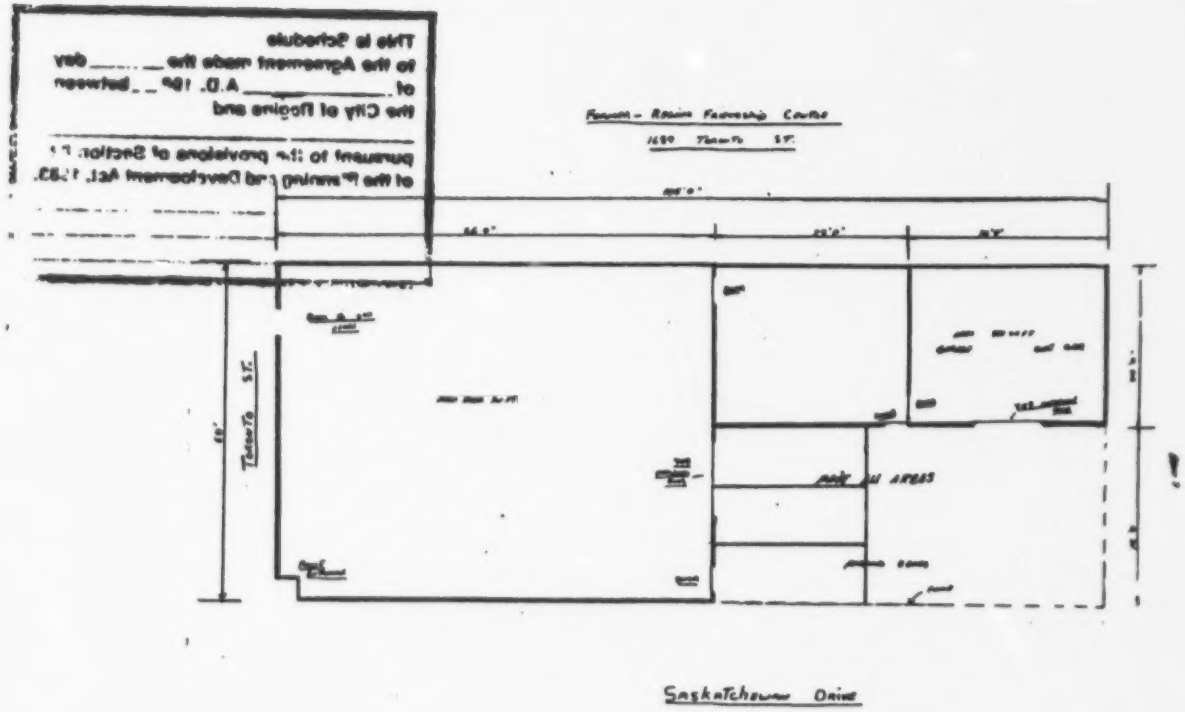
Any signage on the property or building shall be approved by the Director of Planning prior to installation.

Parking

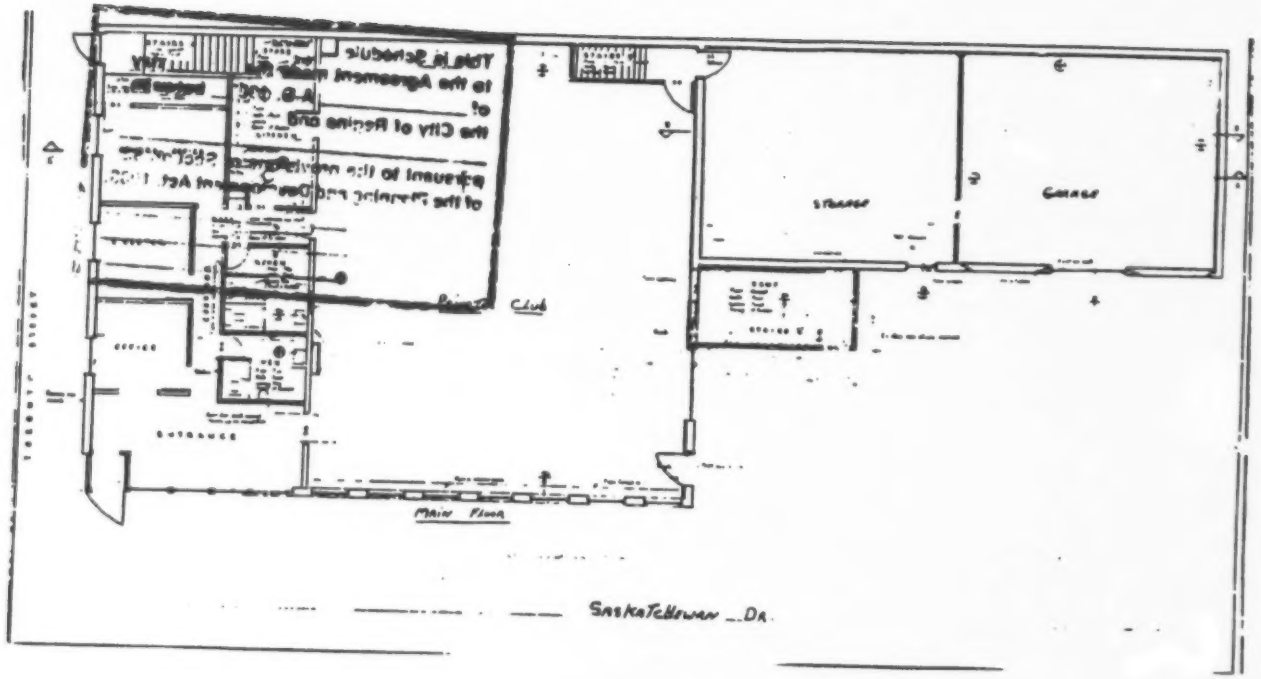
All parking areas shall be suitably paved and parking stalls thereon clearly demarcated.

Time

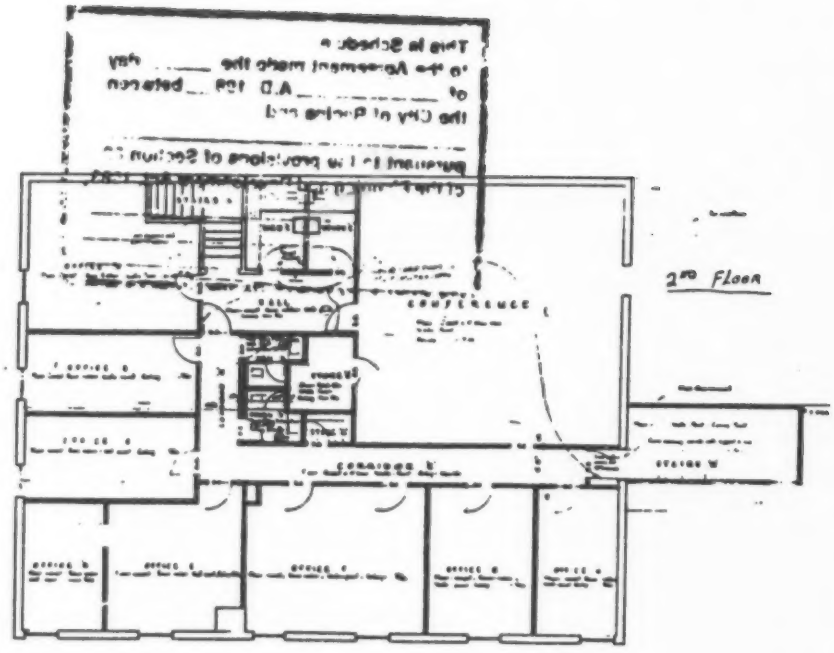
The contract zone shall be in effect for a period of five years or until the lands are required for civic purposes by the City (whichever date occurs first).



Site Plan



Main Floor



Second
Floor

BYLAW NO8468-20-B87

A BYLAW OF THE CITY OF REGINA TO
AMEND BYLAW NO. 7878

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

THAT Section 13 of the City of Regina Zoning Bylaw No. 7878 be and the same is hereby amended as follows:

1. THAT Section 13, Zoning Bylaw Maps, be amended to show the following zoning with reference to Lot 26, Block 80, Plan Old No. 218, 1458 Pasqua Street

   a) Lot Twenty-six (26), in Block Eighty (80), in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada, according to a plan of record in the Land Titles Office for the Regina Land Registration District as Old No. 218 presently zoned R1A - Residential Older Neighbourhood Detached, be rezoned to C - Contract Zone.

2. THAT the Mayor and the City Clerk of the Corporation of The City of Regina be and they are hereby authorized to execute under seal an Agreement in writing, re Contract Zoning, between The City of Regina and North West Electric Company Limited, which Agreement shall be marked "X", attached hereto and form part of this Bylaw.

READ A FIRST TIME THIS 20th DAY OF July A.D. 1987.

READ A SECOND TIME THIS 20th DAY OF July A.D. 1987.

READ A THIRD TIME AND PASSED THIS 20th DAY OF July A.D. 1987.

(SGD.) L.P. SCHNEIDER
Mayor

(SGD.) G.R. DAY
City Clerk

(SEAL)

CERTIFIED A TRUE COPY

City Clerk

PLANNING DEPT.
DATE SEP 3 0 1987

D-I	PEC		DIR. PLAN	
ADM ASST			ARC-ONE	✓
PDI			AREA TWO	

OTHER
B.F.
FILE No. K-10 Bylaws (Zoning)

Approved as to ... 13th ... 1987
day of June
City Solicitor

Ref. 96-2-46

JUNE 198

City Solici

8648

"X"

THIS AGREEMENT made this 21st day of JULY A.D. 1987 pursuant to the provisions of Section 82 of The Planning and Development Act, 1983, s.s. CH. p.131..

BETWEEN:

THE CITY OF REGINA
(hereinafter referred to as
the "City")

OF THE FIRST PART

- and -

NORTH WEST ELECTRIC COMPANY LIMITED
being a corporation duly incorporated
pursuant to the laws of the Province
of Saskatchewan and having its head
office in the City of Regina, in the
Province of Saskatchewan
(hereinafter referred to as the
"applicant")

OF THE SECOND PART

WHEREAS the City has an approved development plan as contemplated in Section 82 of The Planning and Development Act, 1983 that contains guidelines applicable to contract zoning.

AND WHEREAS the Applicant has applied to the City to have the lands owned by it, legally described as:

Lot Twenty-six (26), in Block Eighty (80), in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada, according to a plan of record in the Land Titles Office for the Regina Land Registration District as Old No. 218
MINERALS INCLUDED
(hereinafter referred to as the "lands and buildings")

which lands and buildings are civically known as 1458 Pasqua Street, rezoned from R1A - Residential Older Neighbourhood Detached to C - Contract Zoning to permit the carrying out of a proposal as described in Schedule "A" attached hereto and forming part of this agreement.

AND WHEREAS as part of the application to have the lands and buildings rezoned to C - Contract Zoning the applicant has further agreed to allow withdrawal of the off-site caveated parking agreement from

Lot Fourteen (14), in Block Eighty (80), in the City of Regina, in the Province of Saskatchewan, in the Dominion of Canada, according to a plan of record in the Land Titles Office for the Regina Land Registration District as Old No. 218

MINERALS INCLUDED

which agreement was registered in the Regina Land Titles Office on August 22, 1968 as No. 68R27999 and which agreement was required to accommodate the parking requirements of

Lots 24 and 25, Block 80, Regina, Saskatchewan, Plan Old No. 218

MINERALS INCLUDED

which lands are utilized for a bank and do not contain sufficient on-site parking to meet the requirements of the City of Regina Zoning Bylaw.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the sum of $1.00 paid by the applicant to the City, the receipt and sufficiency of which is hereby acknowledged and in consideration of the mutual covenants herein specified the parties hereto agree as follows:

1. PREAMBLE

The preamble to this agreement shall be and doth form an integral part of this agreement.

2. THE PROPOSAL

The Applicant shall utilize the lands and buildings in accordance with the proposal attached hereto as Schedule "A" and no use or development of the land or building may take place except in accordance with this agreement and the schedules attached hereto.

The Applicant agrees to the immediate withdrawal of Caveat No. 68R27999 from Lot 14, Block 80, in Belvedere, registered in the Regina Land Titles Office as Plan Old No. 218, (which caveat is attached hereto as Schedule "B").

The Applicant further agrees that a caveat shall be registered against Lots 24 and 25 indicating the required off-site parking for said Lots are provided by means of this Contract Zoning of "the lands and building"

3. SOLE AGREEMENT

This agreement contains the entire and only agreement between the parties respecting the subject lands and any representations, promise or condition in connection therewith not incorporated herein shall not be binding upon the parties. The agreement supercedes all pre-existing agreement or arrangements between the parties relating to the lands and no change or erasure shall be valid or binding upon either party. It is further declared by both parties that there are no oral or other agreements or understandings between them affecting this agreement or related to the above lands.

4. USUAL MEANING

The agreement shall be interpreted according to the ordinary and usual meaning of the words thereof unless otherwise defined and notwithstanding any useage or custom to the contrary.

5. DEPARTURE OR WAIVER

No departure or waiver of the terms of this agreement shall be deemed to authorize any prior or subsequent departure or waiver and the City shall not be obligated to continue any departure or waiver or permit subsequent departure or waiver. No alteration or modification of any of the provisions of this agreement shall be binding unless the same be in writing and signed by the parties.

6. COMPLIANCE WITH LAWS OTHER THAN ZONING

The Applicant agrees to comply with and to conform to the requirements of every applicable statute, law, bylaw and order during its use or occupancy of the lands, which govern the lands and the facility and not to use either for any unlawful purpose.

7. SEVERABILITY OF AGREEMENT

If any covenant and/or provision of this agreement is deemed to be void or unenforceable in whole or in part, it shall not be deemed to affect or impair the validity of any other covenant or provision of this agreement.

8. LAW OF AGREEMENT

This agreement shall be governed and interpreted exclusively in accordance with the laws of the Province of Saskatchewan.

9. EFFECTIVE DATE OF AGREEMENT

The effective date of this agreement shall be the date first above written, it being understood by the applicant that the "lands" shall not be effectively rezoned until this agreement is registered by way of caveat against the "lands".

10. **AMENDMENT OF AGREEMENT**

The Council of the City of Regina may, on application by the person who entered into this agreement pursuant to Section 82 of The Planning and Development Act, or any subsequent owner of the land to which this agreement pertains:

(a) vary the agreement

(b) enter into a new agreement, or

(c) extend any time limit established in this agreement provided alternate off-site parking is located for the building at 4200 Dewdney Avenue.

11. **NOTICE**

Any notice required to be given by either party to the other under the terms hereof shall be in writing and may be delivered personally or mailed in a properly stamped and addressed envelope to the party to be notified at the address hereinbefore set out. The addresses of the Applicant and the City are as follows:

(a)	The Applicant	North West Electric Co. Ltd. c/o Michael Rosen 3130 - 21st Street Regina, Saskatchevan S4S 0T6
(b)	The City	Director of Planning City Hall P. O. Box 1790 Regina, Saskatchevan S4P 3C8

12. **LIABILITY ON TERMINATION AND INDEMNITY**

In the event of termination of this agreement the City shall not be liable to the Applicant for any compensation, reimbursement or damages or account of profit or account of expenditures in connection with the lands.

13. The parties acknowledge that this agreement is made pursuant to Section 82 of The Planning and Develoment Act 1983. The Applicant agrees that the City may register a caveat against the site to protect its interest in accordance with that section. Such caveat shall register in preference to all other encumbrances against the site save and except those acceptable to the solicitors for the City of Regina.

IN WITNESS WHEREOF the Applicant has affixed its corporate seal as attested to by its proper signing officers duly authorized in that behalf and the City has affixed its corporate seal as attested to by its Mayor and City Clerk on the day and year first above written.

NORTH WEST ELECTRIC COMPANY LIMITED

NORTH WEST ELECTRIC COMPANY LIMITED Seal

Per pro.

THE CITY OF REGINA

(SGD.) L P SCHNEIDER
Mayor

(SGD.) G R DAY
City Clerk

SCHEDULE "A"

The Applicant's Proposal

The applicant shall construct an off-site parking lot on the subject property to provide parking required under zoning bylaw regulations for the building located at 4200 Dewdney Avenue, in accordance with the plans attached hereto as Schedule "A-1" which schedule forms an integral part of this agreement.

The off-site parking lot, and associated landscaping and fencing shall be in accordance with the plans attached hereto as Schedule "A-1".

The caveat registering this agreement also serves as an off-site parking caveat.

No alteration of the plans attached hereto shall be permitted without the prior consent of the City of Regina in writing and upon the rezoning of the land, none of the land shall be developed or used except in accordance with the proposal, terms and conditions and time limits prescribed in this agreement.

Uses

The uses of land (as shown on Schedule "A-1" attached hereto and forming part of this agreement) permitted pursuant to this agreement is solely limited to a parking lot for the exclusive purpose of providing off-site parking for the building at 4200 Dewdney Avenuye and no other use of this property shall be alowed so long as the building at 4200 Dewdney Avenue continues to exist.

Signage

Signage restricting the use of the lot to the employees and customers of the commercial uses at 4200 Dewdney Avenue shall be permitted, provided that such signage does not exceed $2m^2$ in area. No other forms of signage shall be permitted.

Landscaping

Landscaping shall be in accordance with a landscape plan which must be approved by the Director of Parks and Recreation.

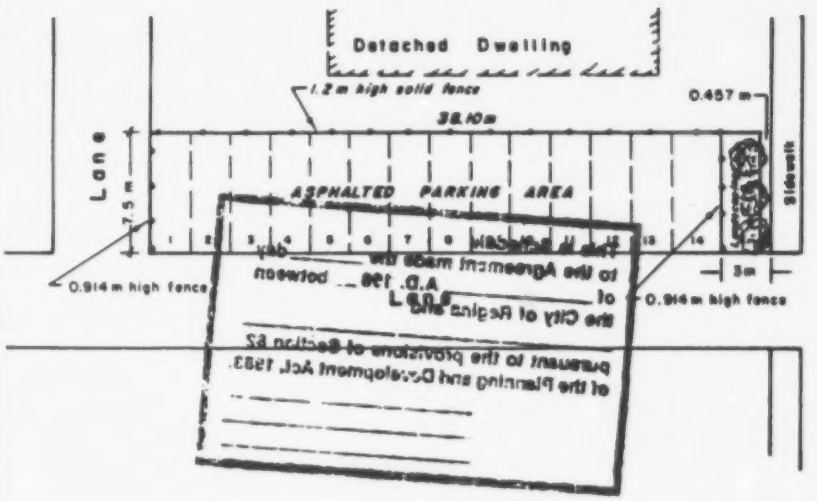
The landscape plan shall identify all plant materials, the size of the plants and the type and location of all fences.

The required landscaping shall be fully completed in accordance with the approved landscape plan within four months of the date this agreement is registered by caveat in the Land Titles Office.

Parking

All parking stalls shall be suitably paved and parking stalls thereon shall have a minimum width of 2.5m and a minimum length of 7.5m.

SCHEDULE "A-1"



CITY OF REGINA PLANNING DEPARTMENT

DATE MAY 4/87

S. L. M.

CONTRACT ZONE
CAVEATED PARKING AREA
Lot 28, Block 80, Plan OLD 218
1458 PASQUA ST.